



Training Attendance Record

Attachment 1
Cover Page - Required.

Course Title: HazCom/Global Harmonization System

(Please use the same title each time this class is delivered)

CEUs:

(if applicable)

Date(s): 4/5/2013

Start Time(s): 10:30am

End Time(s): 11:30am

Total hours: 0.5

Location: ☒ Henkel facility West Hazleton

☐ Off-site

Business Unit: QA

Provider: ☒ Henkel ☐ Vendor

(Name of training company)

(Vendor address / location - if known)

Henkel Contact:

Tuition:

Vendor Invoice /

Material Cost

Trainer's
Transp. Cost:

(Name of Henkel person organizing training)

(Chargeback cost to participant)

(Indicate if total or per person cost)

(if known)

Instructor(s): Gary Neiswender

(Include Global (employee) ID #(s) if Henkel employee(s))

Method of Delivery: ☒ Classroom

☐ Virtual

Please categorize this training: (Check one)

- ☐ Chemical / Product Training ☐ Engineering / Equipment ☐ HR & Legal ☐ Languages ☐ Personal Dev. ☒ SHE & Quality
☐ Communication / Presentations ☐ General Business Admin. ☐ IT / Computer ☐ Leadership ☐ Sales / Mktg. ☐ Strategic Mgmt.

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1. Berdanier, Richard			02073344	Sumnick	1/15/03
2. Cully, Marlene			02073361	Sumnick	9/22/03
3. Dule, Daniel			02073298	Sumnick	1/31/00
4. Jarosh, Jonathan P			20012329	Sumnick	7/29/09
5. Kemmerer, Andrew			20046815	Sumnick	2/19/13
6. Kennedy, Patrick			20039247	Sumnick	5/14/12
7. Meier, Patricia A			02073323	Sumnick	9/17/01
8. Neiswender, Gary S			02073270	Sumnick	11/4/96
9. O'Donnell, Pat			02073329	Sumnick	10/2/90
10. Strohl, Stephanie S			02073357	Sumnick	7/1/03

Does this training require renewal? ☒ Y ☐ N Renewal Date: 2014 Special Instructions for data entry:

Submit an electronic copy to HRDirect (via the portal) or fax a copy to HRDirect at 532-859-1680.



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(If applicable)

Date(s): 4/5/2013

Start Time(s): 10:30am

End Time(s): 11:30am

Total hours: 0.5

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1. Surnick, Janine M		<i>Janine Surnick</i>	02073257	Hartlage	3/25/96
2. Thomas, Mary E		<i>Mary E Thomas</i>	02073199	Surnick	3/2/88
3. Webster, Linda R		<i>Linda R Webster</i>	02073366	Surnick	9/29/03
4.					
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Training Attendance Record

Henkel

Course Title: HazCom/Global Harmonization System

(Please use the same title each time this class is delivered)

CEUs:

Date(s): 1/13/14

Start Time(s): 10:00

End Time(s): 10:30

(If applicable)
Total hours: 0.5

Location: ☒ Henkel facility West Hazleton

☐ Off-site

Business Unit: BC & UW

Provider: ☒ Henkel ☐ Vendor

(Name of training company)

Henkel Contact:

Tuition:

(Vendor address / location - if known)

(Name of Henkel person organizing training)

(Chargeback cost to participant)

Instructor(s): Gary Neiswender

Vendor Invoice /
Material Cost

(Indicate if total or per person cost)

Trainer's
Transp. Cost:

(If known)

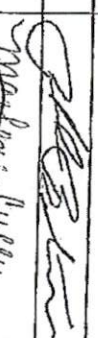








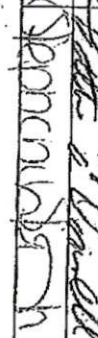
Method of Delivery: ☒ Classroom ☐ Virtual

Please categorize this training: (Check one)

- ☐ Chemical / Product Training
☐ Communication / Presentations
☐ Engineering / Equipment
☐ General Business Admin.
☐ HR & Legal
☐ IT / Computer

- ☐ Languages
☐ Leadership
☐ Personal Dev.
☐ Sales / Mktg.
☒ SHE & Quality
☐ Strategic Mgmt.

PARTICIPANTS

Print Full Legal Name (as it appears on paycheck)	Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1. Berdanier, Richard		02073344	Sumnick	1/15/03
2. Cully, Marlene		02073361	Sumnick	9/22/03
3. Dule, Daniel		02073298	Sumnick	1/31/00
4. Jarosh, Jonathan P		20012329	Sumnick	7/29/09
5. Kemmerer, Andrew		20046815	Sumnick	2/19/13
6. Kennedy, Patrick		20039247	Sumnick	5/14/12
7. Meier, Patricia A		02073323	Sumnick	9/17/01
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9. O'Donnell, Patti		02073329	Sumnick	10/2/90
10. Strohl, Stephanie S		02073357	Sumnick	7/1/03

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Attachment 1

Course Title: HazCom/Global Harmonization System

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Date(s): 1/13/14

Start Time(s): 10:00

End Time(s): 10:30

CEUs:

(If applicable)

Total hours: 0.5

PARTICIPANTS				
Print Full Legal Name (as it appears on paycheck)	Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1. Sumnick, Janine M		02073257	Hartage	3/25/96
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Henkel

Training Attendance Record

Attachment 1

Course Title:

Hazard Communication

(Please use the same title each time this class is delivered)

CEUS:

(If applicable)

Date(s):

5/2/15

Start Time(s):

10:00 am

End Time(s):

10:30 am

Total hours:

0.5

Location:

☒ Henkel facility ☐ Hazleton ☐ Off-site

Provider:

☒ Henkel ☐ Vendor

(Name of training company)

(Vendor address / location - if known)

Henkel Contact:

NA

Tuition:

NA

Vendor Invoice / Material Cost:

Trainer's Transp. Cost:

(Name of Henkel person organizing training)

(Changeback cost to participant)

(Indicate if total or per person cost)

(If known)

Instructor(s):



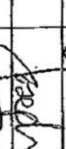








Method of Delivery:

☒ Classroom ☐ Virtual

Please categorize this training: (Check one)

- ☐ Chemical / Product Training ☐ Engineering / Equipment ☐ HR & Legal ☐ Languages ☐ Personal Dev. ☒ SHE & Quality
☐ Communication / Presentations ☐ General Business Admin. ☐ IT / Computer ☐ Leadership ☐ Sales / Mktg. ☐ Strategic Mgmt.

(Include Global (employee) ID #(s) if Henkel employee(s))

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
Print Full Legal Name (as it appears on paycheck)					
1. Berdanier, Richard			02073344	Dan Dule	1/15/2003
2. Dule, Daniel			02073298	Janine Sumnick	1/31/2000
3. Esposito, Joseph			2008634	Dan Dule	3/4/2014
4. Jarosh, Jonathan			20012329	Janine Sumnick	7/29/2009
5. Kemmerer, Andrew			20046815	Dan Dule	2/19/2013
6. Medtr, Patricia A			02073323	Dan Dule	9/17/2001
7. Neiswender, Gary S			02073270	Dan Dule	11/4/1996
8. Fred Ney			225164	Dan Dule	9/7/2006
9. O'Donell, Patti			02073329	Dan Dule	10/2/1990
10. Ringleben, Mary			305410	Janine Sumnick	11/1/1999
11. Strohl, Stephanie			02073357	Dan Dule	7/1/2003

Does this training require renewal? ☐ Y ☒ N

Renewal Date:

Special Instructions for data entry:

Training Attendance R

Submit an electronic copy to HRDirect (via the portal) or fax a copy to HRDirect at 632-859-1680.

1 - Cover Page

Henkel

Training Attendance Record

Attachment 1

Use if additional pages are needed

Course Title:

(Please use the same title each time this class is delivered)

CFUS:

(If applicable)

Date(s):

Start Time(s):

End Time(s):

Total hours:

PARTICIPANTS					Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
Print Full Legal Name (as it appears on paycheck)								
12. Sumnick, Janine					Janine Sumnick	02073257	Dan Dule	3/25/1996
13. Thomas, Mary					Mary Thomas	066502	Dan Dule	3/2/1988
14. Wenner, Morgan					Morgan Wenner	20089721	Dan Dule	10/20/2014

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number PAD987271012	2. Page 1 of 1	3. Emergency Response Phone (877) 577-2669	4. Manifest Tracking Number 009423329 FLE												
5. Generator's Name and Mailing Address DIAL CORPORATION 125 JAYCEE DR ATTN: TONY SMETZ M. HAZLETON PA 18201				Generator's Site Address (if different than mailing address) DIAL CORPORATION 125 JAYCEE DR M. HAZLETON PA 18201 (570)435-9900x105													
6. Transporter 1 Company Name REPUBLIC ENV SYS (TRANS GROUP) LLC				U.S. EPA ID Number PAD982661381													
7. Transporter 2 Company Name				U.S. EPA ID Number													
8. Designated Facility Name and Site Address REPUBLIC ENV SYS (PA) LLC 2869 SANDSTONE DRIVE Facility's Phone: HATFIELD, PA 19440 (215) 822-8995				U.S. EPA ID Number PAD085690592													
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))			10. Containers		11. Total Quantity	12. Unit WL/Vol.	13. Waste Codes									
				No.	Type												
				1. UN2224 WASTE FLAMMABLE LIQUIDS, CORROSIVE, N.O.S. (METHYL ISOBUTYL KETONE, CHLOROFORM) 3 (8) PGII RQ(D001) 7/11/16							DM						
				2. UN1993 WASTE FLAMMABLE LIQUIDS, N.O.S. (CHLOROFORM, METHYL ISOBUTYL KETONE) 3 PGII RQ(D001)							2	DM	800	P			
				3. NON DOT/RCRA REGULATED MATERIAL, N.O.S.							1	TP	1500	P			
14. Special Handling Instructions and Additional Information (1) 67504-01 - ERO(152) FLAMMABLE & CORROSIVE (2) 675304-01 - ERO(128) MIXED SOLVENTS (3) 702021-01 - BENZETHONIUM CHLORIDE																	
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.																	
Generator's/Officer's Printed/Typed Name Tony Smetz				Signature [Signature]		Month Day Year 7/1/16											
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:																	
17. Transporter Acknowledgment of Receipt of Materials																	
Transporter 1 Printed/Typed Name Keith Leake				Signature [Signature]		Month Day Year 7/1/16											
Transporter 2 Printed/Typed Name				Signature		Month Day Year											
18. Discrepancy																	
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection																	
Manifest Reference Number:																	
18b. Alternate Facility (or Generator) U.S. EPA ID Number																	
Facility's Phone:																	
18c. Signature of Alternate Facility (or Generator) Month Day Year																	
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)																	
1. 2. H14/ 3. 4.																	
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a																	
Printed/Typed Name [Signature]				Signature [Signature]		Month Day Year 07/11/16											

August 19, 2016

Dear Rebecca,

Per your request last week, please see details below regarding each item:

- 1) All Uniform Hazardous Waste Manifests from the date of the inspection (5/17/16) to present.

We continue to operate as a small quantity generator. There has been one shipment of hazardous waste since May 17, 2016. The manifest is attached.

- 2) Documents demonstrating if the Emergency Response Plan was submitted to local police/fire departments and hospitals.

Because we have always operated as a small quantity generator of hazardous waste, the site Emergency Response Plan has not been distributed to the police, fire department and local hospital/emergency care center. That being said, as a matter of ensuring that local first responders are well informed about site operations, we have maintained a very good working relationship with the local fire company. West Hazleton Borough completes a fire inspection of the facility yearly which includes regular reviews the owner, operator, and emergency contact information, Hazardous Materials lists, SDS availability and physical location and condition of chemical storage and unloading areas. Facility chemical identification information, SDS's and locations are also available on the Pennsylvania Tier II System which State, County, and West Hazleton Emergency Management authorities have electronic access to.

- 3) A list of employees that perform weekly hazardous waste accumulation area inspections and any associated hazardous waste training for the last 3 years for each of those employees.

- a. I'm not positive that I'm reading the initials on the inspection log copies I have correctly, but I have listed at least: PO, LW, GN, PK (or DK), and SS as having performed the inspections.

QA laboratory technicians perform the weekly hazardous waste accumulation area inspections, which are limited to the single hazardous waste accumulation area where waste laboratory chemicals from the laboratory are placed into one of two drums that are kept in a flammable storage cabinet. Notations on the log depend on which technician inspects the storage location during any given transfer of waste into the storage drum(s). The individuals who currently perform the task are as follows:

Rick Berdanier (RB)

Kathy Brojakowski (KB) - No Haz Com training

Joe Esposito (JE)

Drew Kemmerer (DK)

Gary Neiswender (GN)

Patti O'Donnell (PO)

Stephanie Strohl (SS)

Mary Thomas (MT)

Morgan Wenner (MW)

Linda Webster (LW) - retired in December 2013.

Over the last three years QA technicians received the following annual training in regard to handling of waste:

1. HAZ COM/Right to know – training covers safe chemical handling of both hazardous and non-hazardous material. Our hazardous waste, which is primarily spent laboratory chemicals, comes from the laboratories and is considered to be a hazardous material. Training record provided (attachment 1).
2. Chemical Hygiene/Lab Safety – training consists of a review of the Plant Chemical Hygiene Plan which includes a section on Handling of Hazardous Waste (attachment 2). Training record provided (attachment 3).
3. Emergency Response, Preparedness and Evacuation – training covers how to respond to emergencies which includes a spill of hazardous materials, which would again include hazardous waste. Training record provided (attachment 4).

Please let me know if you have any questions,

Terry

Terry Hartlage, Plant Manager
Henkel Consumer Goods, Inc.
125 Jaycee Drive
West Hazleton, PA 18222

I certify that the information contained in this response to EPA's request for information and the accompanying documents is true, accurate, and complete. As to the identified portions of this response for which I cannot personally verify their accuracy, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature: _____



Name: Terry Hartlage

Title: Plant Manager



Chemical Hygiene Plan- West Hazleton site

TABLE OF CONTENTS

I.	Introduction	2
II.	Standard Operating Procedures	
A)	General Laboratory Safety Rules	2
B)	Compressed Gases	4
C)	Electrical Safety	4
D)	Chemical Spills and Disposal	5
E)	Personal Contamination	5
F)	Lab Hoods and Ventilation	6
G)	Chemical Storage	6
H)	Lab Safety & Personnel	7
I)	Handling Hazardous Waste	7
J)	Safety Rules	8
K)	Laboratory Reference Material	8
L)	Evacuation Plan	8
III.	Laboratory Exposure Control Measures	
A)	Engineering Controls	9
B)	Maintenance and Specification Requirements	9
	Hood Maintenance and Specifications	9
	Safety Shower/Eye Wash Station	9
	Fire Protection Maintenance	9
C)	Personal Protective Equipment	9
D)	Lab Safety Equipment	10
IV.	List of Solvents, Acid and Base Chemicals Routinely Used In the Lab	
A)	Solvents	10
B)	Acids and Bases	10
C)	Other	10
V.	Provisions for Employee Information and Training	11
VI.	Circumstances Which Require Prior Approval	11
VII.	Provisions for Medical Consultation and Examination	11
VIII.	Annual Review and Update	11

I. Handling Hazardous Waste – Emergency Contingency PlanEMERGENCY CONTACTS

Tony Swetz	ext. 105	Home: (570)454-6043 Cell: (570) 956-0144
Janine Surmick	ext. 167	Home: (570)455-0964 Cell: (570) 956-0460
Dan Dule	ext. 175	Home: (570)788-0693 Cell: (570) 407-1930

EMERGENCY INFORMATION

Fire Dept.	911
Police Dept.	911
Ambulance	911
Lehigh Valley Hospital -Hazleton	(570) 501- 4000
GHHA Occupational Health Clinic	(570) 501 - 6800
Poison Control Center	1-800-521-6110

LABORATORY

Alarm Evacuation Codes: Same as for fire – Alarm sounds

Emergency Response Measures

In the event of a fire, dial 333# from any phone and announce the location of the fire. If the size of the fire permits, attempt to extinguish it using an appropriate extinguisher.

In the event of a spill, contain the flow of the hazardous material as much as possible, and as soon as practical, clean up the hazardous waste and any contaminated materials or soil. Contact the Chemical Response Team as soon as possible.



Training Attendance Record

Attachment 4

Cover Page - Required.

Course Title: Emergency Response and Evacuation

CEUs:

(Please use the same title each time this class is delivered)

(If applicable)

Date(s): 2/18/13

Start Time(s): 1:00pm

End Time(s): 1:30pm

Total hours: 0.5hrs

Location: ☒ Henkel facility West Hazleton

☐ Off-site

Business Unit: QA

Provider: ☒ Henkel ☐ Vendor

(Name of training company)

(Vendor address / location - if known)

Henkel Contact:

Tuition:

Vendor Invoice /

Trainer's

Material Cost

Transp. Cost:

(Name of Henkel person organizing training) (Chargeback cost to participant)

(Indicate if total or per person cost)

(If known)

Instructor(s): Gary Neiswender

Method of Delivery: ☒ Classroom ☐ Virtual

(Include Global (employee) ID #(s) if Henkel employee(s))

Please categorize this training: (Check one)

- ☒ Chemical / Product Training ☐ Engineering / Equipment ☐ HR & Legal ☐ Languages ☐ Personal Dev. ☐ SHE & Quality
☐ Communication / Presentations ☐ General Business Admin. ☐ IT / Computer ☐ Leadership ☐ Sales / Mktg. ☐ Strategic Mgmt.

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1. Berdanier, Richard		<i>Richard Berdanier</i>	02073344	Surnick	1/15/03
2. Cully, Marlene		<i>Marlene Cully</i>	02073361	Surnick	9/22/03
3. Dule, Daniel		<i>Daniel Dule</i>	02073298	Surnick	1/31/00
4. Jarosh, Jonathan P		<i>Jonathan Jarosh</i>	20012329	Surnick	7/29/09
5. Kennedy, Patrick		<i>Patrick Kennedy</i>	20039247	Surnick	5/14/12
6. Meier, Patricia A		<i>Patricia Meier</i>	02073323	Surnick	9/17/01
7. Neiswender, Gary S		<i>Gary Neiswender</i>	02073270	Surnick	11/4/96
8. O'Donnell, Patti		<i>Patti O'Donnell</i>	02073329	Surnick	10/2/90
9. Strohl, Stephanie S		<i>Stephanie Strohl</i>	02073357	Surnick	7/1/03
10. Surnick, Janine M		<i>Janine Surnick</i>	02073257	Hartlage	3/25/96

Does this training require renewal? ☒ Y ☐ N Renewal Date: 2014 Special Instructions for data entry:

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Date(s): 2/18/13

Start Time(s): 1:00pm

End Time(s): 1:30pm

CEUs:

(If applicable)

Total hours: 0.5hrs

Use if additional page

Attachment 4

PARTICIPANTS				
Print Full Legal Name (as it appears on paycheck)	Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1. Thomas, Mary E	Mary E Thomas	02073199	Sumnick	3/2/88
2. Webster, Linda R	Linda Webster	02073366	Sumnick	9/29/03
3.				
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Training Attendance Record

Attachment 4
Cover Page - Required.

Course Title: Emergency Response and Evacuation

(Please use the same title each time this class is delivered)

CEUs: _____ (if applicable)

Date(s): 1/13/14 Start Time(s): 10:00 End Time(s): 10:30 Total hours: 0.5

Location: ☒ Henkel facility West Hazelton ☐ Off-site _____ Business Unit: BC & UW

Provider: ☒ Henkel ☐ Vendor _____

(Name of training company)

(Vendor address / location - if known)

Henkel Contact: _____

Tuition: _____

Vendor Invoice / Material Cost _____

Trainer's Transp. Cost: _____ (if known)

Instructor(s): Gary Neiswender

(Include Global (employee) ID #(s) if Henkel employee(s))

Method of Delivery: ☒ Classroom ☐ Virtual

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☐ Communication / Presentations ☐ General Business Admin. ☐ IT / Computer ☐ Leadership ☐ Sales / Mktg. ☐ Strategic Mgmt.

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
Print Full Legal Name (as it appears on paycheck)					
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Attachment 4

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(Please use the same title each time this class is delivered)

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(If applicable)

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End Time(s): 10:30

Total hours: 0.5

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Print Full Legal Name (as it appears on paycheck)	Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
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2. Thomas, Mary E	Mary E. Thomas	02073199	Surrnick	3/2/88
3. Webster, Linda R	Linda R. Webster	02073366	Surrnick	9/29/03
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Course Title:

Emergency Preparedness

CEUs:

Attachment 4

(Please use the same title each time this class is delivered)

Date(s): 5/2/15

Start Time(s): 10:00 am

End Time(s): 10:30 am

Total hours: 0.5

Location: ☒ Henkel facility ☐ Off-site

Business Unit: QA

Provider: ☒ Henkel ☐ Vendor

(Name of training company)

(Vendor address / location - if known)

Henkel Contact: NA

Tuition: NA

Vendor Invoice / Material Cost

Trainer's Transp. Cost

(Name of Henkel person organizing training)

(Chargeback cost to participant)

(Indicate if total or per person cost)

(If known)

Instructor(s):

Method of Delivery:

☒ Classroom

☐ Virtual

(Include Global (employee) ID #(s) if Henkel employee(s))

Please categorize this training: (Check one)

- ☐ Chemical / Product Training ☐ Engineering / Equipment ☐ HR & Legal ☐ Languages ☐ Personal Dev. ☒ SHE & Quality
- ☐ Communication / Presentations ☐ General Business Admin. ☐ IT / Computer ☐ Leadership ☐ Sales / Mktg. ☐ Strategic Mgmt.

Participants Print Full Legal Name (as it appears on paycheck)	Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1. Berdanier, Richard		02073344	Dan Dule	1/15/2003
2. Dule, Daniel		02073298	Janine Sumnick	1/31/2000
3. Esposito, Joseph		2008634	Dan Dule	3/4/2014
4. Jarosh, Jonathan		20012329	Janine Sumnick	7/29/2009
5. Kemmerer, Andrew		20046815	Dan Dule	2/19/2013
6. Mecir, Patricia A		02073323	Dan Dule	9/17/2001
7. Neiswender, Gary S		02073270	Dan Dule	11/4/1996
8. Fred Ney		225164	Dan Dule	9/7/2006
9. O'Donnell, Patti		02073329	Dan Dule	10/2/1990
10. Ringleben, Mary		305410	Janine Sumnick	11/1/1999
11. Strohl, Stephanie		02073357	Dan Dule	7/1/2003

Does this training require renewal? ☐ Y ☒ N Renewal Date: _____

Special Instructions for data entry: _____

Training Attendance R

Submit an electronic copy to HRDirect (via the portal) or fax a copy to HRDirect at 632-859-1680.

1 - Cover Page

Henkel

Training Attendance Record

Attachment 14

Course Title:

(Please use the same title each time this class is delivered)

Date(s):

Start Time(s):

End Time(s):

Total hours:

CEUs:

(If applicable)

Use if additional page

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
Print Full Legal Name (as it appears on paycheck)					
12. Surrnick, Janine		<i>Janine Surrnick</i>	02073257	Dan Dule	3/25/1996
13. Thomas, Mary		<i>Mary Thomas</i>	066502	Dan Dule	3/2/1988
14. Wenner, Morgan		<i>Morgan Wenner</i>	20089721	Dan Dule	10/20/2014

Henkel

Training Attendance Record

Attachment 3

Cover Page - Required

Course Title:

Chemical Hygiene/Lab Safety

(Please use the same title each time this class is delivered)

CEUs:

(If applicable)

Date(s):

9/13/13

Start Time(s):

10:00am

End Time(s):

10:30am

Total hours: 0.5

Location:

☒ Henkel facility West Hazleton

☐ Off-site

Business Unit: QA

Provider:

☒ Henkel ☐ Vendor

Henkel Contact:

(Name of training company)

Tuition:

(Vendor address / location - if known)

Vendor Invoice /

Material Cost

(Indicate if total or per person cost)

Trainer's Transp. Cost:

(if known)

Instructor(s):

Gary Neiswender

(Include Global (employee) ID #(s) if Henkel employee(s))

Method of Delivery:

☒ Classroom

☐ Virtual

Please categorize this training: (Check one)

☐ Chemical / Product Training

☐ Engineering / Equipment

☐ General Business Admin.

☐ HR & Legal

☐ IT / Computer

☐ Languages

☐ Leadership

☐ Personal Dev.

☐ Sales / Mktg.

☒ SHE & Quality

☐ Strategic Mgmt.

PARTICIPANTS

Print Full Legal Name (as it appears on paycheck)

Signature

Global (Employee) ID (Required)

Supervisor

Hire Date

1. Berdanier, Richard

2. Cully, Marlene

3. Dule, Daniel

4. Jarosh, Jonathan P

5. Kemmerer, Andrew

6. Kennedy, Patrick

7. Meier, Patricia A

8. Neiswender, Gary S

9. O'Donnell, Patti

10. Strohl, Stephanie S

02073344

Sumnick

1/15/03

02073361

Sumnick

9/22/03

02073298

Sumnick

1/31/00

20012329

Sumnick

7/29/09

20046815

Sumnick

2/19/13

20039247

Sumnick

5/14/12

02073323

Sumnick

9/17/01

02073270

Sumnick

11/4/96

02073329

Sumnick

10/2/90

02073357

Sumnick

7/1/03

Does this training require renewal? ☒ Y ☐ N

Renewal Date: 2014

Special Instructions for data entry:

Submit an electronic copy to HRDirect (via the portal) or fax a copy to HRDirect at 632-859-1680.



Training Attendance Record

Course Title: Chemical Hygiene/Lab Safety

(Please use the same title each time this class is delivered)

CEUs:

(If applicable)

Date(s): 9/13/13

Start Time(s): 10:00am

End Time(s): 10:30am

Total hours: 0.5

Use if additional pages are needed.

Attachment 3

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1. Summick, Janine M		<i>Janine Summick</i>	02073257	Hartlage	3/25/96
2. Thomas, Mary E		<i>Mary Thomas</i>	02073199	Summick	3/2/88
3. Webster, Linda R	LW	<i>Linda Webster</i>	02073366	Summick	9/29/03
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					

Henkel

Training Attendance Record

Attachment 3

Course Title:

Chemical Hygiene Lab safety

CEUs:

Cover Page - Required

(Please use the same title each time this class is delivered)

Date(s): 8/29/14

Start Time(s): 10:00

End Time(s): 10:30

Total hours: 0.5

Location: ☒ Henkel facility ☐ West Hazleton ☐ Off-site

Business Unit: BC & UW

Provider: ☒ Henkel ☐ Vendor

(Name of training company)

(Vendor address / location - if known)

Henkel contact:

Tuition:

Vendor Invoice / Material Cost:

Trainer's Transp. Cost:

(Name of Henkel person organizing training) (Chargeback cost to participant)

(Indicate if total or per person cost)

(if known)

Instructor(s):

Gary Nelswender

Method of Delivery: ☒ Classroom ☐ Virtual

(Include Global (employee) ID #(s) if Henkel employee(s))

Please categorize this training: (Check one)

- ☐ Chemical / Product Training ☐ Engineering / Equipment ☐ HR & Legal ☐ Languages ☐ Personal Dev. ☒ SHE & Quality
☒ Communication / Presentations ☐ General Business Admin. ☐ IT / Computer ☐ Leadership ☐ Sales / Mktg. ☐ Strategic Mgmt.

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
Print Full Legal Name (as it appears on paycheck)					
1. Berdaniel, Richard		<i>Richard Berdaniel</i>	02073344	Surmick	1/15/03
2. Cully, Marlene		<i>Marlene Cully</i>	02073361	Surmick	9/22/03
3. Dule, Daniel		<i>Daniel Dule</i>	02073298	Surmick	1/31/00
4. Esposito, Joseph		<i>Joseph Esposito</i>	20088634	Surmick	3/4/14
5. Jarosh, Jonathan P		<i>Jonathan Jarosh</i>	20012329	Surmick	7/29/09
6. Kemmerer, Andrew		<i>Andrew Kemmerer</i>	20046815	Surmick	2/19/13
7. Mecir, Patricia A.		<i>Patricia Mecir</i>	02073323	Surmick	9/17/01
8. Nelswender, Gary S		<i>Gary Nelswender</i>	02073270	Surmick	11/4/96
9. Ney, Fred J		<i>Fred J Ney</i>	02073396	Surmick	9/7/06
10. O'Donnell, Patti		<i>Patti O'Donnell</i>	02073329	Surmick	10/2/90

Does this training require renewal? ☒ Y ☐ N Renewal Date: 2015 Special Instructions for data entry:

Submit an electronic copy to HRDirect (via the portal) or fax a copy to HRDirect at 632-859-1680.



Training Attendance Record

Attachment 3

Course Title:

Chemical Hygiene Lab Safety

(Please use the same title each time this class is delivered)

Date(s): 8/29/14

Start Time(s): 10:00

End Time(s): 10:30

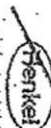
Total hours: 0.5

CEUs:

(If applicable)

Use if additional pages are needed.

PARTICIPANTS	Print Full Legal Name (as it appears on paycheck)	Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1.	Strohl, Stephanie S	Stephanie Strohl	02073357	Surmick	7/1/03
2.	Surmick, Janine M	Janine Surmick	02073257	Hartlage	3/25/96
3.	Thomas, Mary E	Mary Thomas	02073199	Surmick	3/2/88
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
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18.					
19.					
20.					



Training Attendance Record

Attachment 3

Cover Page - Required

Course Title: Lab Safety

(Please use the same title each time this class is delivered)

CEUs: _____

Date(s): 10/24/15

Start Time(s): 10:00 am

End Time(s): 10:30 am

Total hours: 30 mins

Location: ☒ Henkel facility Hazleton

☐ Off-site

Business Unit: QA

Provider: ☒ Henkel ☐ Vendor

(Name of training company)

(Vendor address / location - if known)

Henkel contact: _____

Fulbo

Vendor Invoice / Material Cost

Training Vendor / Transp. Cost

(Name of Henkel person organizing training)

(Chargeback cost to participant)

(Indicate if total or per person cost)

(if known)

Instruction(s): Stephan Strohl

(Include Global (employee) ID #(s) if Henkel employee(s))

Method of Delivery: ☒ Classroom ☐ Virtual

Please categorize this training: (Check one)

- ☐ Chemical / Product Training
- ☐ Engineering / Equipment
- ☐ HR & Legal
- ☐ Languages
- ☐ Personal Dev.
- ☒ SHE & Quality
- ☐ Communication / Presentations
- ☐ General Business Admin.
- ☐ IT / Computer
- ☐ Leadership
- ☐ Sales / Mktg.
- ☐ Strategic Mgmt.

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
Print Full Legal Name (as it appears on paycheck)					
1. Berdaniel, Richard		<i>Richard Berdaniel</i>	02073344	Dan Dule	1/15/2003
2. Brojakowski, Kathy		<i>Kathy Brojakowski</i>	20101403	Dan Dule	5/18/2015
3. Dule, Daniel		<i>Daniel Dule</i>	02073298	Jeanine Summick	1/31/2000
4. Esposito, Joseph		<i>Joseph Esposito</i>	2008634	Dan Dule	3/4/2014
5. Jarosh, Jonathan		<i>Jonathan Jarosh</i>	20012329	Jeanine Summick	7/29/2009
6. Kemmerer, Andrew	DK	<i>Andrew Kemmerer</i>	20046815	Dan Dule	2/19/2013
7. Neiswender, Gary S	GN	<i>Gary S Neiswender</i>	02073270	Dan Dule	11/4/1996
8. O'Donnell, Patti	PO	<i>Patti O'Donnell</i>	02073329	Dan Dule	10/2/1990
9. Ringleben, Mary		<i>Mary Ringleben</i>	305410	Jeanine Summick	11/1/1999
10. Strohl, Stephanie	SS	<i>Stephanie Strohl</i>	02073357	Dan Dule	7/1/2003

Does this training require renewal? ☐ Y ☒ N Renewal Date: 2016 Special Instructions for data entry: _____

Submit an electronic copy to HRDirect (via the portal) or fax a copy to HRDirect at 632-859-1680.

Revised

Training Attendance Record

Attachment 3

Use if additional pages are needed.

Course title: Lab Safety

(Please use the same title each time this class is delivered)

CEUs:

(If applicable)

Date(s): 10/24/15

Start Time(s):

10:00 am

End Time(s):

10:30 am

Total hours:

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
Print Full Legal Name (as it appears on paycheck)					
11. Sumnick, Janine		<i>Janine Sumnick</i>	02073257	Dan Dule	3/25/1996
12. Thomas, Mary		<i>Mary Thomas</i>	066502	Dan Dule	3/2/1988
13. Wenner, Morgan		<i>Morgan Wenner</i>	20089721	Dan Dule	10/20/2014

4/18/17

Dial Corp.

- Received voice message from Scott Eide at Henkel Corp. on Thurs. 4/13/17 @ 2:18pm to call back. No specifics in request.

Call back #: 281-216-7451

- Spoke w/ Chris Minshall ~8:15am on Tues. 4/18/17.
- To call Fac. rep back. Determine position at company. Attorney?

↳ have Chris & I call back Staff?

↳ Inform having enf. discussions will have letter out in week or two outlining outcome of insp. + next steps.

4/18/17

8:25am call back - no answer.

- no voicemail, will try back shortly.

10:20am call back - answered.

Scott → oversight of N.A. new
HQ SHE guy
addressed to the Facility manager
cc: Scott Eady
1110 Nasa Parkway
Suite 470
Houston, TX 77085

ENFORCEMENT PRIORITY SCREENING CHECKLIST
ENFORCEMENT SENSITIVE - DO NOT RELEASE

Name and Location of Violator:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

Program Contact:

Rebecca Serfass – x2047

PAD 987 271 012
“SQG”

Industry NAICS Code: 325611 **# of Employees:** ~186

Date of Inspection: 5/17/16 **Annual Income:** _____

Recommended Action: APO **EJ Area:** _____

Projected Quarter: Q2/3-17 **Children's Health Issue:** _____

SCREENING QUESTIONS

1. What is the violation(s)? Were there violations of reporting requirements such as manifest, DMRs, lab reports or training? Did the violation(s) deprive EPA or any state or local environmental agency of information critical to its program operation or otherwise undermine the regulatory scheme? Please Describe:

- A. Failure to keep SAA container closed [40 CFR 262.34(c)(1)(i) that references 265.173]
- B. Failure to label UW lamp container [40 CFR 273.14(e)]
- C. Failure to securely contain UW lamps [40 CFR 273.13(d)(1)]
- D. Failure to date UW batteries [40 CFR 273.15(c)]
- E. Failure to provide home address for EC in CP [40 CFR 265.52(d)]
- F. Failure to provide copies of contingency plan to local authorities [40 CFR 265.53]
- G. Failure to submit BR for 2013 & 2015 [40 CFR 262.41]
- H. Failure to notify as a LQG for many months in 2013, 2014, & 2015 [RCRA 3010]
- I. Failure to provide adequate training to all handlers of HW [40 CFR 265.16]
- J. Storage for greater than 90 days on multiple occasions totaling ~111 days over 90 [40 CFR 262.34(a)]

2. Could or did the violation cause or contribute to actual harm to public health or the environment? Is the violation continuing?

No. Unknown.

3. Is this a repeat or recurring violation or violator? Is there a history of non-compliance? Please Describe:

No.

4. Is this a significant/high priority violation according to the program's guidance?

No.

5. Are there known or suspected violations of other regulatory requirements? Does this case have multi-media potential?

No.

6. Have there been any State enforcement actions taken for the violation(s)?

No.

7. Has the company or any individuals employed by the company submitted false or misleading information or documents? Has there been any tampering with monitoring equipment?

No.

8. Does the violation involve knowing, willful or negligent conduct by the company or any individual employed by the company? Is there evidence that the violator was, or should have been, aware of the requirement(s) which were violated? Please describe:

No.

9. Is it known whether the violator has received compliance assistance and has failed to correct the violation in a timely manner? Please describe:

No.

10. Is it suspected that the violator may have obtained an economic benefit or an unfair competitive advantage in its industry from its noncompliance?

Unknown.

11. Should an enforcement action proceed to the penalty stage, are there any known SEP proposals that might be brought to the violator's attention?

No.

12. Did the violation occur in a Community Based, Sector Based or Regional Strategic Planning Priority Area as reflected in the current Enforcement MOA or elsewhere?

No.

Enforcement Options:

No Action
Warning Letter
NOV/NON
State Lead
NOD

AO
APO
Judicial Referral
Criminal Referral



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS

Ms. Melissa Gross, Chief
Hazardous Waste Compliance and Enforcement
Department of Environmental Protection
Rachel Carson Building
P.O. Box 8763
Harrisburg, PA 17105-8763

SEP 12 2016

**Re: RCRA Administrative Penalty Order
Dial Corporation
EPA ID No. PAD987271012**

Dear Ms. Gross,

The U.S. Environmental Protection Agency, Region III is pursuing the issuance of an Administrative Penalty Order ("APO") to Dial Corporation located in West Hazelton, PA pursuant to the Resource Conservation and Recovery Act ("RCRA") as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984. The APO will address violations of RCRA Subtitle C.

We appreciate your cooperation in this matter and look forward to your continued efforts towards a successful enforcement program. Should you have any questions or concerns regarding this proceeding, please feel free to contact me at (215) 814-5430 or Rebecca Serfass at (215) 814-2047.

Sincerely,

A handwritten signature in cursive script, reading "Carol Amend", is written over a horizontal line.

Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement

cc: R. Serfass, 3LC70 ✓

Updated 12-27-16

Meeting w/ Carol
Geanna
Myself
Cheryl
Chris on
4/24/17
for penalty
approval. Chris to
draft letter this
week.

RCRA-C VIOLATION - COUNT I

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Operation of a treatment, disposal, or storage facility without a permit [40 CFR 270.1(b)]
incorporates by reference [40 CFR 262.34]

HOW FACILITY VIOLATED REGULATION:

- ☒ A. Storage of HW for greater than 90 days
- B. Failure to keep closed container of HW
- C. Failure to provide home address of EC in Contingency Plan
- D. Failure to provide copies of CP to local authorities

SUPPORTING EVIDENCE:

- A. Manifest Information; See Manifest Info at end of Insp. Rpt. with highlighted areas
- B. Insp. Rpt. pg 7, para. 3; Insp. Rpt. pg. 8, para. 5; Photo #14; Photo #26
- C. Copy of Facility's Emergency Response Plan, Attachment G of Inspection Report
- D. Facility follow-up response stating that they have a good working relationship with local authorities, but did not send them the CP since they operate as SQG
 - a. Lack of documentation to show CP was sent to local authorities

Potential for Harm: Moderate

Extent of Deviation: Moderate

****Using older penalty matrix due to being LQG last on 8/30/15****

Penalty: \$9,210

Multiday: 123 days x \$1,295 = \$159,285

Total = \$168,495

****Discuss multi-day # if we want to bring total penalty # down****

984
total \$118,894

Updated 12-27-16

****Dropping due to fluctuation in generator status, PA regs state to notify, "unless temporarily"****

~~RCRA C VIOLATION COUNT II~~

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

~~Failure to submit subsequent notification under RCRA 3010 as a Large Quantity Generator [25 PA 262a.12(b)(1)]~~

HOW FACILITY VIOLATED REGULATION:

~~A. Facility failed to submit subsequent notification using EPA Form 8700-12 to the state to notify them of their change to LQG status during many throughout 2013, 2014, and 2015. Large basis of RCRA program~~

SUPPORTING EVIDENCE:

~~A. RCRA Info — no notification updates
a. State representative confirm
b. Facility representative confirm~~

Potential for Harm: Moderate
Extent of Deviation: Moderate

Penalty: \$10,602

RCRA-C VIOLATION – COUNT II

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to submit Biennial Report [40 CFR 262.41]

HOW FACILITY VIOLATED REGULATION:

- A. Facility failed to submit a Biennial Report documenting HW generation during years 2013 and 2015 (Deadline was March 2014 and March 2016)

SUPPORTING EVIDENCE:

- A. RCRA Info – No BR records
a. Facility rep confirmation + no records on site

Potential for Harm: ~~Moderate~~ *Minor*

Extent of Deviation: ~~Moderate~~ *Major*

****Old penalty matrix # for March 2014, New penalty matrix # for March 2016****

Penalty: ~~\$9,210~~ + \$10,602

Total: \$19,812 ~~\$4,000~~

~~3,190~~ +

4,250 + 4,892

\$ 9,142

****Dropping, due to training records appearing to be adequate****

~~RCRA-C VIOLATION COUNT IV~~

~~FACILITY NAME:~~

~~Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201~~

~~VIOLATION:~~

~~Failure to provide adequate training to employees responsible for handling HW [40 CFR 265.16(a)]~~

~~HOW FACILITY VIOLATED THE REGULATION:~~

- ~~A. Facility failed to provide RCRA HW training to employees conducting HWAA weekly inspections~~
 - ~~a. Facility provided documentation of a Hazardous Communication / Global Harmonization training. Unsure as to whether it included RCRA topics.~~

~~SUPPORTING EVIDENCE:~~

- ~~A. Facility follow up documents — haz. com./global harmonization training, no RCRA specific — may meet requirements. — Inspection observations, inadequate RCRA training led to operation under incorrect generator status~~

~~Potential for Harm: Moderate~~

~~Extent of Deviation: Minor~~

~~Penalty: \$4,893~~

RCRA-C VIOLATION – COUNT III

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to provide a home address for Emergency Coordinator within Contingency Plan [40 CFR 265.52(d)]

HOW FACILITY VIOLATED THE REGULATION:

- A. Home address of designated Emergency Coordinator not listed within the Facility's Contingency Plan

SUPPORTING EVIDENCE:

- A. Copy of Facility's Emergency Response Plan, Attachment G of Inspection Report

****Old penalty matrix #, last time LQG was 8/30/15****

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$430

RCRA-C VIOLATION – COUNT IV

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to provide copies of Facility Contingency Plan to local authorities [40 CFR 265.53]

HOW FACILITY VIOLATED REGULATION:

- A. Facility failed to send copies of its CP to local authorities

SUPPORTING EVIDENCE:

- A. Facility follow-up response stating that they have a good working relationship with local authorities, but did not send them the CP since they operate as SQG
 - a. Lack of documentation to show CP was sent to local authorities

****Old penalty matrix #, last time LQG was 8/30/15****

Potential for Harm: Moderate

Extent of Deviation: Minor

Penalty: \$5,670

RCRA-C VIOLATION – COUNT V

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to keep container of HW closed [40 CFR 265.173]

HOW FACILITY VIOLATED THE REGULATION:

- A. Facility failed to keep closed (2) satellite containers of aerosol cans managed as HW before they are taken to be punctured.

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg 7, para. 3; Insp. Rpt. pg. 8, para. 5; Photo #14; Photo #26

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$815

RCRA-C VIOLATION – COUNT VI

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to contain UW lamps in secure, closed container [40 CFR 273.13(d)(1)]

HOW FACILITY VIOLATED THE REGULATION:

- A. UW lamp box was initially closed, Facility representative moved the box (slightly) to determine if it was labeled and the top of the cardboard ripped off instantly.
 - a. Not secure to prevent release

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 8, para. 7; Photo #32

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$489

Boxes can be doing during

RCRA-C VIOLATION – COUNT VII

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to label UW lamp container [40 CFR 273.14(e)]

HOW FACILITY VIOLATED REGULATION:

- A. UW lamp containers did not have visible labels. Universal Waste label was found, underneath the shipping label after Facility representative peeled shipping label back. Box for Universal Waste “lamps” was not checked off

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 9, para. 1; Photo #33

Potential for Harm: Minor
Extent of Deviation: Minor

Penalty: \$489

Updated 12-27-16

RCRA-C VIOLATION – COUNT VIII

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to mark UW batteries with start accumulation date [40 CFR 273.15(c)]

HOW FACILITY VIOLATED THE REGULATION:

- A. Facility contained UW batteries in a container that was not labeled with the start accumulation date

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 9, para. 2; Photo #35

Potential for Harm: Minor
Extent of Deviation: Minor

Penalty: \$489

Total: \$196,689

RCRA-C VIOLATION – COUNT I

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Operation of a treatment, disposal, or storage facility without a permit [40 CFR 270.1(b)]
incorporates by reference [40 CFR 262.34]

HOW FACILITY VIOLATED REGULATION:

- A. Storage of HW for greater than 90 days
- B. Failure to keep closed container of HW
- C. Failure to provide home address of EC in Contingency Plan
- D. Failure to provide copies of CP to local authorities

SUPPORTING EVIDENCE:

- A. Manifest Information; See Manifest Info at end of Insp. Rpt. with highlighted areas
- B. Insp. Rpt. pg 7, para. 3; Insp. Rpt. pg. 8, para. 5; Photo #14; Photo #26
- C. Copy of Facility's Emergency Response Plan, Attachment G of Inspection Report
- D. Facility follow-up response stating that they have a good working relationship with local authorities, but did not send them the CP since they operate as SQG
 - a. Lack of documentation to show CP was sent to local authorities

Potential for Harm: Moderate

Extent of Deviation: Moderate

****Using older penalty matrix due to being LQG last on 8/30/15****

Penalty: \$9,210

Multiday: 123 days x \$1,295 = \$159,285

Total = \$168,495

****Discuss multi-day # if we want to bring total penalty # down****

****Dropping due to fluctuation in generator status, PA regs state to notify, "unless temporarily"****

~~RCRA C VIOLATION COUNT II~~

~~FACILITY NAME:~~

~~Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201~~

~~VIOLATION:~~

~~Failure to submit subsequent notification under RCRA 3010 as a Large Quantity Generator [25 PA 262a.12(b)(1)]~~

~~HOW FACILITY VIOLATED REGULATION:~~

~~A. Facility failed to submit subsequent notification using EPA Form 8700-12 to the state to notify them of their change to LQG status during many throughout 2013, 2014, and 2015. Large basis of RCRA program~~

~~SUPPORTING EVIDENCE:~~

~~A. RCRA Info — no notification updates
a. State representative confirm
b. Facility representative confirm~~

~~Potential for Harm: Moderate~~

~~Extent of Deviation: Moderate~~

~~Penalty: \$10,602~~

RCRA-C VIOLATION – COUNT II

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to submit Biennial Report [40 CFR 262.41]

HOW FACILITY VIOLATED REGULATION:

- A. Facility failed to submit a Biennial Report documenting HW generation during years 2013 and 2015 (Deadline was March 2014 and March 2016)

SUPPORTING EVIDENCE:

- A. RCRA Info – No BR records
 - a. Facility rep confirmation + no records on site

Potential for Harm: Moderate

Extent of Deviation: Moderate

****Old penalty matrix # for March 2014, New penalty matrix # for March 2016****

Penalty: \$9,210 + \$10,602

Total: \$19,812

****Dropping, due to training records appearing to be adequate****

~~RCRA C VIOLATION COUNT IV~~

~~FACILITY NAME:~~

~~Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201~~

~~VIOLATION:~~

~~Failure to provide adequate training to employees responsible for handling HW [40 CFR 265.16(a)]~~

~~HOW FACILITY VIOLATED THE REGULATION:~~

- ~~A. Facility failed to provide RCRA HW training to employees conducting HWA weekly inspections~~
 - ~~a. Facility provided documentation of a Hazardous Communication / Global Harmonization training. Unsure as to whether it included RCRA topics.~~

~~SUPPORTING EVIDENCE:~~

- ~~A. Facility follow up documents — haz. com. / global harmonization training, no RCRA specific — may meet requirements. — Inspection observations, inadequate RCRA training led to operation under incorrect generator status~~

~~Potential for Harm: Moderate~~

~~Extent of Deviation: Minor~~

~~Penalty: \$4,893~~

Updated 12-27-16

RCRA-C VIOLATION – COUNT III

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to provide a home address for Emergency Coordinator within Contingency Plan [40 CFR 265.52(d)]

HOW FACILITY VIOLATED THE REGULATION:

- A. Home address of designated Emergency Coordinator not listed within the Facility's Contingency Plan

SUPPORTING EVIDENCE:

- A. Copy of Facility's Emergency Response Plan, Attachment G of Inspection Report

****Old penalty matrix #, last time LQG was 8/30/15****

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$430

RCRA-C VIOLATION – COUNT IV

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to provide copies of Facility Contingency Plan to local authorities [40 CFR 265.53]

HOW FACILITY VIOLATED REGULATION:

- A. Facility failed to send copies of its CP to local authorities

SUPPORTING EVIDENCE:

- A. Facility follow-up response stating that they have a good working relationship with local authorities, but did not send them the CP since they operate as SQG
 - a. Lack of documentation to show CP was sent to local authorities

****Old penalty matrix #, last time LQG was 8/30/15****

Potential for Harm: Moderate

Extent of Deviation: Minor

Penalty: \$5,670

Updated 12-27-16

RCRA-C VIOLATION – COUNT V

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to keep container of HW closed [40 CFR 265.173]

HOW FACILITY VIOLATED THE REGULATION:

- A. Facility failed to keep closed (2) satellite containers of aerosol cans managed as HW before they are taken to be punctured.

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg 7, para. 3; Insp. Rpt. pg. 8, para. 5; Photo #14; Photo #26

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$815

RCRA-C VIOLATION – COUNT VI

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to contain UW lamps in secure, closed container [40 CFR 273.13(d)(1)]

HOW FACILITY VIOLATED THE REGULATION:

- A. UW lamp box was initially closed, Facility representative moved the box (slightly) to determine if it was labeled and the top of the cardboard ripped off instantly.
 - a. Not secure to prevent release

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 8, para. 7; Photo #32

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$489

Updated 12-27-16

RCRA-C VIOLATION – COUNT VII

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to label UW lamp container [40 CFR 273.14(e)]

HOW FACILITY VIOLATED REGULATION:

- A. UW lamp containers did not have visible labels. Universal Waste label was found, underneath the shipping label after Facility representative peeled shipping label back. Box for Universal Waste “lamps” was not checked off

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 9, para. 1; Photo #33

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$489

RCRA-C VIOLATION – COUNT VIII

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to mark UW batteries with start accumulation date [40 CFR 273.15(c)]

HOW FACILITY VIOLATED THE REGULATION:

- A. Facility contained UW batteries in a container that was not labeled with the start accumulation date

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 9, para. 2; Photo #35

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$489

Total: \$196,689

RCRA-C VIOLATION – COUNT I

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Operation of a treatment, disposal, or storage facility without a permit [40 CFR 270.1(b)]
incorporates by reference [40 CFR 262.34]

HOW FACILITY VIOLATED REGULATION:

- A. Storage of HW for greater than 90 days
- B. Failure to keep closed SAA containers of HW
- C. Failure to provide home address of EC in Contingency Plan
- D. Failure to provide copies of CP to local authorities

SUPPORTING EVIDENCE:

- A. Manifest Information; See Manifest Info at end of Insp. Rpt. with highlighted areas
- B. Insp. Rpt. pg 7, para. 3; Insp. Rpt. pg. 8, para. 5; Photo #14; Photo #26
- C. Copy of Facility's Emergency Response Plan, Attachment G of Inspection Report
- D. Facility follow-up response stating that they have a good working relationship with local authorities, but did not send them the CP since they operate as SQG
 - a. Lack of documentation to show CP was sent to local authorities

Potential for Harm: Moderate

Extent of Deviation: Moderate

****Using older penalty matrix due to being LQG last on 8/30/15****

Penalty: \$9,210

Multiday: ~~123~~ 31 days x \$750 = ~~\$92,250~~ \$23,250

Total = \$101,460

\$32,460

RCRA-C VIOLATION – COUNT II

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to submit Biennial Report [40 CFR 262.41]

HOW FACILITY VIOLATED REGULATION:

- A. Facility failed to submit a Biennial Report documenting HW generation during years 2013 and 2015 (Deadline was March 2014 and March 2016)

SUPPORTING EVIDENCE:

- A. RCRA Info – No BR records
 - a. Facility rep confirmation + no records on site

Potential for Harm: Minor

Extent of Deviation: Major

****Old penalty matrix # for March 2014, New penalty matrix # for March 2016****

Penalty: \$4,250 + \$4,892

Total: \$9,142

RCRA-C VIOLATION – COUNT III

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to provide a home address for Emergency Coordinator within Contingency Plan [40 CFR 265.52(d)]

HOW FACILITY VIOLATED THE REGULATION:

- A. Home address of designated Emergency Coordinator not listed within the Facility's Contingency Plan

SUPPORTING EVIDENCE:

- A. Copy of Facility's Emergency Response Plan, Attachment G of Inspection Report

****Old penalty matrix #, last time LQG was 8/30/15****

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$430

RCRA-C VIOLATION – COUNT IV

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to provide copies of Facility Contingency Plan to local authorities [40 CFR 265.53]

HOW FACILITY VIOLATED REGULATION:

- A. Facility failed to send copies of its CP to local authorities

SUPPORTING EVIDENCE:

- A. Facility follow-up response stating that they have a good working relationship with local authorities, but did not send them the CP since they operate as SQG
 - a. Lack of documentation to show CP was sent to local authorities

****Old penalty matrix #, last time LQG was 8/30/15****

Potential for Harm: Moderate

Extent of Deviation: Minor

Penalty: \$5,670

RCRA-C VIOLATION – COUNT V

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to keep container of HW closed [40 CFR 265.173]

HOW FACILITY VIOLATED THE REGULATION:

- A. Facility failed to keep closed (2) satellite containers of aerosol cans managed as HW before they are taken to be punctured.

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg 7, para. 3; Insp. Rpt. pg. 8, para. 5; Photo #14; Photo #26

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$815

RCRA-C VIOLATION – COUNT VI

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to contain UW lamps in secure, closed container [40 CFR 273.13(d)(1)]

HOW FACILITY VIOLATED THE REGULATION:

- A. UW lamp box was initially closed, Facility representative moved the box (slightly) to determine if it was labeled and the top of the cardboard ripped off instantly.
 - a. Not secure to prevent release

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 8, para. 7; Photo #32

Potential for Harm: Minor
Extent of Deviation: Minor

Penalty: \$489

Updated 4-24-17

RCRA-C VIOLATION – COUNT VII

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to label UW lamp container [40 CFR 273.14(e)]

HOW FACILITY VIOLATED REGULATION:

- A. UW lamp containers did not have visible labels. Universal Waste label was found, underneath the shipping label after Facility representative peeled shipping label back. Box for Universal Waste “lamps” was not checked off

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 9, para. 1; Photo #33

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$489

RCRA-C VIOLATION – COUNT VIII

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to mark UW batteries with start accumulation date [40 CFR 273.15(c)]

HOW FACILITY VIOLATED THE REGULATION:

- A. Facility contained UW batteries in a container that was not labeled with the start accumulation date

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 9, para. 2; Photo #35

Potential for Harm: Minor
Extent of Deviation: Minor

Penalty: \$489

Total: \$118,984

RCRA-C VIOLATION – COUNT I

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Operation of a treatment, disposal, or storage facility without a permit [40 CFR 270.1(b)] incorporates by reference [40 CFR 262.34]

HOW FACILITY VIOLATED REGULATION:

- A. Storage of HW for greater than 90 days
- B. Failure to keep closed SAA containers of HW
- C. Failure to provide home address of EC in Contingency Plan
- D. Failure to provide copies of CP to local authorities

SUPPORTING EVIDENCE:

- A. Manifest Information; See Manifest Info at end of Insp. Rpt. with highlighted areas
- B. Insp. Rpt. pg 7, para. 3; Insp. Rpt. pg. 8, para. 5; Photo #14; Photo #26
- C. Copy of Facility's Emergency Response Plan, Attachment G of Inspection Report
- D. Facility follow-up response stating that they have a good working relationship with local authorities, but did not send them the CP since they operate as SQG
 - a. Lack of documentation to show CP was sent to local authorities

Potential for Harm: Moderate

Extent of Deviation: Moderate

****Using older penalty matrix due to being LQG last on 8/30/15****

Penalty: \$9,210

Multiday: 31 days x \$750 = \$23,250

Total = \$32,460

RCRA-C VIOLATION – COUNT II

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to submit Biennial Report [40 CFR 262.41]

HOW FACILITY VIOLATED REGULATION:

- A. Facility failed to submit a Biennial Report documenting HW generation during years 2013 and 2015 (Deadline was March 2014 and March 2016)

SUPPORTING EVIDENCE:

- A. RCRA Info – No BR records
 - a. Facility rep confirmation + no records on site

Potential for Harm: Minor

Extent of Deviation: Major

****Old penalty matrix # for March 2014, New penalty matrix # for March 2016****

Penalty: \$4,250 + \$4,892

Total: \$9,142

RCRA-C VIOLATION – COUNT III

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to provide copies of Facility Contingency Plan to local authorities [40 CFR 265.53]

HOW FACILITY VIOLATED REGULATION:

- A. Facility failed to send copies of its CP to local authorities

SUPPORTING EVIDENCE:

- A. Facility follow-up response stating that they have a good working relationship with local authorities, but did not send them the CP since they operate as SQG
 - a. Lack of documentation to show CP was sent to local authorities

****Old penalty matrix #, last time LQG was 8/30/15****

Potential for Harm: Moderate

Extent of Deviation: Minor

Penalty: \$5,670

RCRA-C VIOLATION – COUNT IV

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to keep container of HW closed [40 CFR 265.173]

HOW FACILITY VIOLATED THE REGULATION:

- A. Facility failed to keep closed (2) satellite containers of aerosol cans managed as HW before they are taken to be punctured.

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg 7, para. 3; Insp. Rpt. pg. 8, para. 5; Photo #14; Photo #26

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$815

RCRA-C VIOLATION – COUNT V

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to contain UW lamps in secure, closed container [40 CFR 273.13(d)(1)]

HOW FACILITY VIOLATED THE REGULATION:

- A. UW lamp box was initially closed, Facility representative moved the box (slightly) to determine if it was labeled and the top of the cardboard ripped off instantly.
 - a. Not secure to prevent release

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 8, para. 7; Photo #32

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$489

Updated 10-17-17

RCRA-C VIOLATION – COUNT VI

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to label UW lamp container [40 CFR 273.14(e)]

HOW FACILITY VIOLATED REGULATION:

- A. UW lamp containers did not have visible labels. Universal Waste label was found, underneath the shipping label after Facility representative peeled shipping label back. Box for Universal Waste “lamps” was not checked off

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 9, para. 1; Photo #33

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$489

RCRA-C VIOLATION – COUNT VII

FACILITY NAME:

Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

VIOLATION:

Failure to mark UW batteries with start accumulation date [40 CFR 273.15(c)]

HOW FACILITY VIOLATED THE REGULATION:

- A. Facility contained UW batteries in a container that was not labeled with the start accumulation date

SUPPORTING EVIDENCE:

- A. Insp. Rpt. pg. 9, para. 2; Photo #35

Potential for Harm: Minor

Extent of Deviation: Minor

Penalty: \$489

Total: \$49,554

10% discount = \$44,598



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS OVERNIGHT DELIVERY

MAY 04 2017

Terry Hartlage
Plant Manager
Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

Re: Dial Corporation
EPA ID No. PAD987271012
Request to Show Cause

Dear Ms. Hartlage:

This letter is a follow-up to a compliance evaluation inspection conducted at the Dial Corporation facility located at 125 Jaycee Drive, West Hazelton, Pennsylvania 18201 ("Facility") by duly authorized representatives of the U.S. Environmental Protection Agency ("EPA" or "Agency") on May 17, 2016. As a follow-up to the May 17, 2016 inspection, EPA requested additional information via email during the subsequent months, to which the Facility promptly responded via email. The purpose of the EPA inspection and subsequent requests for information was to determine compliance with the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. §§ 6901, *et seq.*, the federal hazardous waste regulations set forth at 40 C.F.R. Parts 260-266, 268 and 270-273, and the authorized Pennsylvania Hazardous Waste Management Regulations (PaHWR), 25 Pa. Code Ch. 260a-266a, 266b, and 268a-270a.

Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), and 40 C.F.R. Part 271, Subpart A, EPA authorized the Commonwealth of Pennsylvania to administer the PaHWR, *in lieu* of the federal hazardous waste management program established under RCRA Subtitle C, 42 U.S.C. §§ 6921-6939e. The PaHWR became effective on January 30, 1986, and were revised on November 27, 2000, March 22, 2004 and June 29, 2009, and contain certain provisions implementing the Hazardous and Solid Waste Amendments ("HSWA") enacted on November 8, 1984 (Pub. Law No. 98-616), which amended Subtitle C of RCRA. The authorized provisions of the PaHWR codified at 25 Pa. Code Chapters 260a – 266c, 266b, and 268c – 270a, thereby became requirements of RCRA Subtitle C and enforceable by EPA pursuant to RCRA § 3008(a), 42 U.S.C. § 6928(a). See *51 Fed. Reg. 1791* (January 15, 1986), *65 Fed. Reg. 57734* (September 26, 2000), *69 Fed. Reg. 2674* (January 20, 2004) and *74 Fed. Reg. 19453* (April 29, 2009).

Section 3008(a) of RCRA authorizes EPA to take enforcement action whenever it is determined that a person is in violation of any requirement of EPA's regulations implementing

RCRA Subtitle C, or any regulation of a state hazardous waste program, such as PaHWR, which has been authorized by EPA. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), authorizes the assessment of a civil penalty against any person who violates any requirement of Subtitle C of RCRA. Penalties are calculated in accordance with Section 3008(h) of RCRA, 42 U.S.C. § 6928(h), and the **RCRA Civil Penalty Policy** (June 2003) (Enclosure 1). Any person who violates any requirement of the authorized state management program and federal hazardous waste management regulations is subject to a penalty of up to \$25,000 for each day of violation, adjusted upwards to \$37,500 by the Civil Monetary Inflation Rule, 40 C.F.R. Part 19 (Inflation Adjusted Penalty Matrices - Enclosure 2). Based on EPA's review of the RCRA Civil Penalty Policy and the inflation adjustments, EPA has determined that a total penalty of **\$118,984.00** is appropriate for the alleged violations. This proposed penalty does not constitute a "demand" as that term is defined in the Equal Access to Justice Act, 28 U.S.C. § 2412.

Based upon the information currently available to the Agency, EPA believes that there is a sufficient basis for the issuance of an Administrative Complaint against Dial Corporation seeking the assessment of a civil penalty and containing a Compliance Order requiring the Facility to comply with RCRA. Prior to issuing an Administrative Complaint, EPA is providing Dial Corporation with the opportunity to confer with EPA to show cause as to any reasons why an Administrative Complaint should not be issued for the violations identified below. EPA is also inviting Dial Corporation to meet with EPA in person or by conference call to discuss the possibility of entering into a settlement of the violations with the Agency without litigation.

I. EPA FINDINGS OF POSSIBLE RCRA VIOLATIONS

EPA has identified the following possible RCRA violations at your Facility:

Violation No. 1: Owning and/or Operating a Hazardous Waste Treatment, Storage or Disposal Facility without a Permit or Interim Status

Dial Corporation violated Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e), and 25 Pa. Code § 270a.1, which incorporates by reference the RCRA permit program requirements and provisions of 40 C.F.R. § 270.1(c), by operating a hazardous waste storage facility without a permit. Although Dial Corporation may have attempted to comply with the generator accumulation exemption to the permit requirements found at 40 C.F.R. § 262.34, which is incorporated by reference at 25 Pa. Code § 262a.1 of the PaHWR, Dial Corporation did not qualify for this exemption because of its failure to comply with all of the conditions for this exemption. The exemption conditions not met are described below.

- A. ***Storage of Hazardous Waste for Over 90 Days.*** 25 Pa. Code § 262a.10 incorporates by reference the generator accumulation and permit exemption requirements and conditions of 40 C.F.R. § 262.34(a), which provides a generator may accumulate hazardous waste on site for 90 days or less without a permit or without having interim status. A review of Dial Corporation manifests showed it stored hazardous waste at its West Hazleton Facility without a permit for more than ninety (90) days. Dial Corporation began to accumulate two drums of D001 and F003 hazardous waste on April 26, 2013 but did not ship these hazardous waste drums offsite until August 5, 2013 on Manifest No.

Day 91

011073035. From July 25, 2013 until August 5, 2013, these two drums of hazardous waste were beyond the 90 day storage limit of the generator accumulation exemption and therefore, Dial Corporation was storing hazardous waste without a permit or applicable exemption to the permit requirement. Dial Corporation began to accumulate two drums of D001, D022 and F003 hazardous waste on June 18, 2014 but did not ship these hazardous waste drums offsite until December 23, 2014 on Manifest No. 007685113FLE. From September 16, 2014 until December 23, 2014, these two drums of hazardous waste were beyond the 90-day storage limit of the generator accumulation exemption and therefore, Dial Corporation was storing hazardous waste without a permit or applicable exemption to the permit requirement. Dial Corporation began to accumulate two drums of D001, D002, D022 and F003 hazardous waste on February 20, 2015 but did not ship these hazardous waste drums offsite until June 1, 2015 on Manifest No. 008210120FLE. From May 21, 2015 until June 1, 2015, Dial Corporation was storing hazardous waste without a permit or applicable exemption to the permit requirement.

B. Failure to Maintain a Complete Contingency Plan. 25 Pa. Code § 262a.10 incorporates by reference the generator accumulation and permit exemption requirements and conditions of 40 C.F.R. § 262.34(a)(4) and, by further reference, the Contingency Plan requirements of 40 C.F.R. §§ 265.52(d), which requires each facility to have a Contingency Plan that contains the name and address of the emergency coordinator. On August 30, 2015, the West Hazelton Facility Contingency Plan did not provide the home address of the person listed in the Facility Contingency Plan as the emergency coordinator.

C. Failure to Submit Copies of the Contingency Plan. 25 Pa. Code § 262a.10 incorporates by reference the generator accumulation and permit exemption requirements and conditions of 40 C.F.R. § 262.34(a)(4) and, by further reference, the Contingency Plan requirements of 40 C.F.R. §§ 265.53(b), which requires each facility to submit a copy of the Contingency Plan to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services. On August 30, 2015, the West Hazelton Facility Contingency Plan had not been submitted to local authorities.

Yemail on 8/19/16 - attachment, not sent because operated as SQG - from Terry Hartlage - Plant Mngr.

D. Failure to Keep Containers of Hazardous Waste Closed. 25 Pa. Code § 262a.10 incorporates by reference the generator accumulation and permit exemption requirements and conditions of 40 C.F.R. § 262.34(a)(4) and, by further reference, 40 C.F.R. § 265.173(a), provides that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste. At the time of the inspection on May 17, 2016, Dial Corporation was accumulating D001 and D003 hazardous waste aerosol cans in an open plastic container in its packaging area and in an open plastic container in its hazardous waste accumulation area. Dial Corporation was not adding or removing waste from these containers at the time of the inspection and therefore, these containers of hazardous waste did not meet the permit exemption requirements.

inspection last time LQG >90 days >90 days
On May 17, 2016, August 30, 2015, May 21, 2015-June 1, 2015, September 16, 2014-December 23, 2014, and July 25, 2013-August 5, 2013, Dial Corporation failed to satisfy the generator accumulation and permit exemption requirements and conditions set forth in 25 Pa. Code § 262a.10 which incorporates by reference the 40 C.F.R. § 262.34. Therefore, on the aforementioned dates, Dial Corporation owned and/or operated a hazardous waste storage facility without a permit or interim status in violation of Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e), and 25 Pa. Code § 270a.1, which incorporates by reference the RCRA permit program requirements and provisions of 40 C.F.R. § 270.1(c).

Proposed Penalty for Violation No. 1: \$101,460.00

Violation No. 2: Failure to Maintain a Complete Contingency Plan

25 Pa. Code § 264a.1 incorporates by reference the Contingency Plan requirements of 40 C.F.R. § 264.52(d), which requires each facility to have a Contingency Plan that contains the name and address of the emergency coordinator. On August 30, 2015, the West Hazelton Facility Contingency Plan did not provide the home address of the person listed in the Facility Contingency Plan as the emergency coordinator.

Proposed Penalty for Violation No. 2: \$430.00

Violation No. 3: Failure to Submit Copies of the Contingency Plan

25 Pa. Code § 264a.1 incorporates by reference the Contingency Plan requirements of 40 C.F.R. §§ 264.53(b), which requires each facility to submit a copy of the Contingency Plan to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services. On August 30, 2015, the West Hazelton Facility Contingency Plan had not been submitted to local authorities.

Proposed Penalty for Violation No. 3: \$5,670.00

Violation No. 4: Failure to Keep Containers of Hazardous Waste Closed

25 Pa. Code § 264a.1 incorporates by reference the management of container requirements of 40 C.F.R. § 264.173(a), which requires that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste. At the time of the inspection on May 17, 2016, Dial Corporation was accumulating D001 and D003 hazardous waste aerosol cans in an open plastic container in its packaging area and in an open plastic container in its hazardous waste accumulation area. Dial Corporation was not adding or removing waste from these containers at the time of the inspection and therefore, failed to properly manage these two containers of hazardous waste.

Proposed Penalty for Violation No. 4: \$815.00

Violation No. 5: Failure to File Biennial Report

25 Pa Code § 262a.41 provides that a generator who ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States must prepare and submit a single copy of a Biennial Report to the PADEP by March 1 of each even numbered year. At the time of the EPA inspection, Respondent had not filed the hazardous waste biennial reports due on March 1, 2014 and March 1, 2016.

for reporting years 2013 & 2015

Proposed Penalty for Violation No. 4: \$9,142

Violation No. 6: Failure to Store Universal Waste Lamps in Closed Structurally Sound Container

25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.13(d)(1), requires that a small quantity handler of universal waste, specifically, universal waste "lamps," store such lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. At the time of the inspection on May 17, 2016, Dial Corporation was storing universal waste lamps in a cardboard box that ripped open when the Facility representative moved the box to determine whether a label had been applied to the box. Dial Corporation violated 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.13(d)(1), by failing to store universal waste lamps in closed structurally sound container.

Proposed Penalty for Violation No. 6: \$489.00

Violation No. 7: Failure to Label Container of Universal Waste Lamps

25 Pa. Code § 266b.1, which incorporates by reference, 40 C.F.R. § 273.14(e), requires that, for small quantity handlers of universal waste lamps, each lamp or container or package containing such lamps, must be clearly marked or labeled with one of the following phrases: "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)." At the time of the inspection on May 17, 2016, Dial Corporation was storing universal waste lamps in a container that did not have a box checked for Universal Waste Lamps on its label nor did it have any other form of insignia to denote the storage of universal waste lamps in the container.

Proposed Penalty for Violation No. 7: \$489.00

Violation No. 8: Failure to Mark or Demonstrate Accumulation Start Date for Universal Waste Batteries

25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.15(c), requires that a small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date that it becomes a waste or has been received. 40 C.F.R. § 273.15(c)(1) provides that the handler may

make this demonstration by placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received. 40 C.F.R. § 273.15(c)(2) though (6) provides that this demonstration may also be made by marking each individual item with the date that it becomes a waste, maintaining an inventory system that identifies the earliest date that items became waste, placing universal waste in specific accumulation areas that identify the earliest date that items became waste, or any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. At the time of the inspection on May 17, 2016, Dial Corporation had not marked nor was it able to identify an accumulation start date for a container of universal waste batteries.

Proposed Penalty for Violation No. 8: \$489.00

II. REQUEST TO SHOW CAUSE

EPA has determined that the issuance of an Administrative Complaint seeking assessment of a civil penalty concerning the aforesaid violations and issuance of a Compliance Order requiring compliance with the PaHWR is the appropriate enforcement response in this matter.

Prior to issuing this Administrative Complaint, however, EPA is providing Dial Corporation the opportunity to confer with the Agency and show cause as to why an Administrative Complaint should not be issued by the Agency in this matter. **EPA is requesting that Dial Corporation contact the Agency within fourteen (14) calendar days of receipt of this letter to discuss this matter.** This opportunity will be made available at a meeting with EPA in Philadelphia on a mutually convenient date or by telephone conference. To facilitate settlement discussions and to supplement EPA's understanding of the compliance activities taken by Dial Corporation concerning these alleged violations, EPA requests that Dial Corporation submit such additional documentation which may be in its possession or control that identifies any and all measures taken to address the violations identified herein. If the compliance measures identified are planned or are on-going, please provide a schedule for when the compliance measures will be completed. Please send any and all supplemental information that you wish EPA representatives to review and consider in this matter to the attention of either:

Rebecca Serfass
U.S. Environmental Protection Agency, Region III
Land and Chemicals Division (3LC32)
1650 Arch Street
Philadelphia, Pennsylvania 19103

or

New Total :

\$49,984 w/109% ↓

\$44,985

~~\$44,984~~
~~\$39,987~~

~~\$49,984~~
~~\$430~~
~~\$49,554~~
~~109%~~
~~\$44,598~~

T. Chris Minshall
Sr. Assistant Regional Counsel
U.S. Environmental Protection Agency, Region III
Office of Regional Counsel (3RC30)
1650 Arch Street
Philadelphia, Pennsylvania 19103.

Please be advised, however, if this matter is not resolved within sixty (60) days after your receipt of this letter, EPA may proceed with the issuance of an Administrative Complaint.

If in the course of discussing this matter with the Agency, Dial Corporation intends to submit documents or information to EPA, please be advised that Dial Corporation is entitled to assert a claim of business confidentiality covering any part or all of the information Dial Corporation submits to EPA pursuant to this Request to Show Cause, in the manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the information is submitted to EPA, EPA may make this information available to the public without further notice to Dial Corporation.

Dial Corporation must also include as part of any submission of information or documentation to EPA pursuant to this Request to Show Cause the following certification signed and dated by a responsible corporate officer of your corporation:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this response to Information Request and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining or compiling the information, I believe that the submitted information is true, accurate, and complete. I recognize that there are significant penalties for submitting false and/or misleading information, including the possibility of fine and/or imprisonment."

Signature: _____
Printed Name: _____
Title: _____

This Request to Show Cause is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Additionally, please find enclosed a document entitled "Information Sheet" concerning Small Business Resources and the Small Business Regulatory Enforcement and Fairness Act ("SBREFA") (Enclosure 3). This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve Dial Corporation of its obligation to respond in a timely manner to an EPA enforcement action, create any rights or defenses under

law, and will not affect EPA's decision to pursue this enforcement action. To preserve Dial Corporation legal rights, Dial Corporation must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action.

Finally, please be advised that certain companies may be required to disclose to the Securities and Exchange Commission the existence of certain pending or known to be contemplated environmental legal proceedings (administrative or judicial) arising under Federal, State or local environmental laws. Please see the attached "Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings" for more information about this SEC requirement (Enclosure 4).

If you have any other questions concerning this matter, you may contact Ms. Rebecca Serfass of my staff at (215) 814-2047, or if your company is represented by counsel, please have him/her contact Mr. T. Chris Minshall, the attorney assigned to this matter, at (215) 814-2473.

Sincerely,



Carol Amend, Associate Director
Office of RCRA Programs

Enclosures

- 1) *RCRA Civil Penalty Policy* (June 2003)
- 2) *Adjusted Penalty Policy Matrices* (only the RCRA C revised penalty matrix and multi-day penalty charts included)
- 3) *SBREFA Information Sheet*
- 4) *Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings*

cc: Rebecca Serfass (3LC32)
T. Chris Minshall (3RC30)
Scott Eady, 1110 Nasa Parkway, Suite 470, Houston, TX 77085



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS OVERNIGHT DELIVERY

MAY 04 2017

Terry Hartlage
Plant Manager
Dial Corporation
125 Jaycee Drive
West Hazelton, PA 18201

Re: Dial Corporation
EPA ID No. PAD987271012
Request to Show Cause

Dear Ms. Hartlage:

This letter is a follow-up to a compliance evaluation inspection conducted at the Dial Corporation facility located at 125 Jaycee Drive, West Hazelton, Pennsylvania 18201 ("Facility") by duly authorized representatives of the U.S. Environmental Protection Agency ("EPA" or "Agency") on May 17, 2016. As a follow-up to the May 17, 2016 inspection, EPA requested additional information via email during the subsequent months, to which the Facility promptly responded via email. The purpose of the EPA inspection and subsequent requests for information was to determine compliance with the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. §§ 6901, *et seq.*, the federal hazardous waste regulations set forth at 40 C.F.R. Parts 260-266, 268 and 270-273, and the authorized Pennsylvania Hazardous Waste Management Regulations (PaHWR), 25 Pa. Code Ch. 260a-266a, 266b, and 268a-270a.

Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), and 40 C.F.R. Part 271, Subpart A, EPA authorized the Commonwealth of Pennsylvania to administer the PaHWR, *in lieu* of the federal hazardous waste management program established under RCRA Subtitle C, 42 U.S.C. §§ 6921-6939e. The PaHWR became effective on January 30, 1986, and were revised on November 27, 2000, March 22, 2004 and June 29, 2009, and contain certain provisions implementing the Hazardous and Solid Waste Amendments ("HSWA") enacted on November 8, 1984 (Pub. Law No. 98-616), which amended Subtitle C of RCRA. The authorized provisions of the PaHWR codified at 25 Pa. Code Chapters 260a – 266c, 266b, and 268c – 270a, thereby became requirements of RCRA Subtitle C and enforceable by EPA pursuant to RCRA § 3008(a), 42 U.S.C. § 6928(a). See *51 Fed. Reg. 1791* (January 15, 1986), *65 Fed. Reg. 57734* (September 26, 2000), *69 Fed. Reg. 2674* (January 20, 2004) and *74 Fed. Reg. 19453* (April 29, 2009).

Section 3008(a) of RCRA authorizes EPA to take enforcement action whenever it is determined that a person is in violation of any requirement of EPA's regulations implementing

RCRA Subtitle C, or any regulation of a state hazardous waste program, such as PaHWR, which has been authorized by EPA. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), authorizes the assessment of a civil penalty against any person who violates any requirement of Subtitle C of RCRA. Penalties are calculated in accordance with Section 3008(h) of RCRA, 42 U.S.C. § 6928(h), and the **RCRA Civil Penalty Policy** (June 2003) (Enclosure 1). Any person who violates any requirement of the authorized state management program and federal hazardous waste management regulations is subject to a penalty of up to \$25,000 for each day of violation, adjusted upwards to \$37,500 by the Civil Monetary Inflation Rule, 40 C.F.R. Part 19 (Inflation Adjusted Penalty Matrices - Enclosure 2). Based on EPA's review of the RCRA Civil Penalty Policy and the inflation adjustments, EPA has determined that a total penalty of **\$118,984.00** is appropriate for the alleged violations. This proposed penalty does not constitute a "demand" as that term is defined in the Equal Access to Justice Act, 28 U.S.C. § 2412.

Based upon the information currently available to the Agency, EPA believes that there is a sufficient basis for the issuance of an Administrative Complaint against Dial Corporation seeking the assessment of a civil penalty and containing a Compliance Order requiring the Facility to comply with RCRA. Prior to issuing an Administrative Complaint, EPA is providing Dial Corporation with the opportunity to confer with EPA to show cause as to any reasons why an Administrative Complaint should not be issued for the violations identified below. EPA is also inviting Dial Corporation to meet with EPA in person or by conference call to discuss the possibility of entering into a settlement of the violations with the Agency without litigation.

I. EPA FINDINGS OF POSSIBLE RCRA VIOLATIONS

EPA has identified the following possible RCRA violations at your Facility:

Violation No. 1: Owning and/or Operating a Hazardous Waste Treatment, Storage or Disposal Facility without a Permit or Interim Status

Dial Corporation violated Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e), and 25 Pa. Code § 270a.1, which incorporates by reference the RCRA permit program requirements and provisions of 40 C.F.R. § 270.1(c), by operating a hazardous waste storage facility without a permit. Although Dial Corporation may have attempted to comply with the generator accumulation exemption to the permit requirements found at 40 C.F.R. § 262.34, which is incorporated by reference at 25 Pa. Code § 262a.1 of the PaHWR, Dial Corporation did not qualify for this exemption because of its failure to comply with all of the conditions for this exemption. The exemption conditions not met are described below.

- A. ***Storage of Hazardous Waste for Over 90 Days.*** 25 Pa. Code § 262a.10 incorporates by reference the generator accumulation and permit exemption requirements and conditions of 40 C.F.R. § 262.34(a), which provides a generator may accumulate hazardous waste on site for 90 days or less without a permit or without having interim status. A review of Dial Corporation manifests showed it stored hazardous waste at its West Hazelton Facility without a permit for more than ninety (90) days. Dial Corporation began to accumulate two drums of D001 and F003 hazardous waste on April 26, 2013 but did not ship these hazardous waste drums offsite until August 5, 2013 on Manifest No.

011073035. From July 25, 2013 until August 5, 2013, these two drums of hazardous waste were beyond the 90 day storage limit of the generator accumulation exemption and therefore, Dial Corporation was storing hazardous waste without a permit or applicable exemption to the permit requirement. Dial Corporation began to accumulate two drums of D001, D022 and F003 hazardous waste on June 18, 2014 but did not ship these hazardous waste drums offsite until December 23, 2014 on Manifest No. 007685113FLE. From September 16, 2014 until December 23, 2014, these two drums of hazardous waste were beyond the 90-day storage limit of the generator accumulation exemption and therefore, Dial Corporation was storing hazardous waste without a permit or applicable exemption to the permit requirement. Dial Corporation began to accumulate two drums of D001, D002, D022 and F003 hazardous waste on February 20, 2015 but did not ship these hazardous waste drums offsite until June 1, 2015 on Manifest No. 008210120FLE. From May 21, 2015 until June 1, 2015, Dial Corporation was storing hazardous waste without a permit or applicable exemption to the permit requirement.

- B. Failure to Maintain a Complete Contingency Plan.** 25 Pa. Code § 262a.10 incorporates by reference the generator accumulation and permit exemption requirements and conditions of 40 C.F.R. § 262.34(a)(4) and, by further reference, the Contingency Plan requirements of 40 C.F.R. §§ 265.52(d), which requires each facility to have a Contingency Plan that contains the name and address of the emergency coordinator. On August 30, 2015, the West Hazelton Facility Contingency Plan did not provide the home address of the person listed in the Facility Contingency Plan as the emergency coordinator.
- C. Failure to Submit Copies of the Contingency Plan.** 25 Pa. Code § 262a.10 incorporates by reference the generator accumulation and permit exemption requirements and conditions of 40 C.F.R. § 262.34(a)(4) and, by further reference, the Contingency Plan requirements of 40 C.F.R. §§ 265.53(b), which requires each facility to submit a copy of the Contingency Plan to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services. On August 30, 2015, the West Hazelton Facility Contingency Plan had not been submitted to local authorities.
- D. Failure to Keep Containers of Hazardous Waste Closed.** 25 Pa. Code § 262a.10 incorporates by reference the generator accumulation and permit exemption requirements and conditions of 40 C.F.R. § 262.34(a)(4) and, by further reference, 40 C.F.R. § 265.173(a), provides that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste. At the time of the inspection on May 17, 2016, Dial Corporation was accumulating D001 and D003 hazardous waste aerosol cans in an open plastic container in its packaging area and in an open plastic container in its hazardous waste accumulation area. Dial Corporation was not adding or removing waste from these containers at the time of the inspection and therefore, these containers of hazardous waste did not meet the permit exemption requirements.

On May 17, 2016, August 30, 2015, May 21, 2015-June 1, 2015, September 16, 2014-December 23, 2014, and July 25, 2013-August 5, 2013, Dial Corporation failed to satisfy the generator accumulation and permit exemption requirements and conditions set forth in 25 Pa. Code § 262a.10 which incorporates by reference the 40 C.F.R. § 262.34. Therefore, on the aforementioned dates, Dial Corporation owned and/or operated a hazardous waste storage facility without a permit or interim status in violation of Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e), and 25 Pa. Code § 270a.1, which incorporates by reference the RCRA permit program requirements and provisions of 40 C.F.R. § 270.1(c).

Proposed Penalty for Violation No. 1: \$101,460.00

Violation No. 2: Failure to Maintain a Complete Contingency Plan

25 Pa. Code § 264a.1 incorporates by reference the Contingency Plan requirements of 40 C.F.R. § 264.52(d), which requires each facility to have a Contingency Plan that contains the name and address of the emergency coordinator. On August 30, 2015, the West Hazelton Facility Contingency Plan did not provide the home address of the person listed in the Facility Contingency Plan as the emergency coordinator.

Proposed Penalty for Violation No. 2: \$430.00

Violation No. 3: Failure to Submit Copies of the Contingency Plan

25 Pa. Code § 264a.1 incorporates by reference the Contingency Plan requirements of 40 C.F.R. §§ 264.53(b), which requires each facility to submit a copy of the Contingency Plan to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services. On August 30, 2015, the West Hazelton Facility Contingency Plan had not been submitted to local authorities.

Proposed Penalty for Violation No. 3: \$5,670.00

Violation No. 4: Failure to Keep Containers of Hazardous Waste Closed

25 Pa. Code § 264a.1 incorporates by reference the management of container requirements of 40 C.F.R. § 264.173(a), which requires that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste. At the time of the inspection on May 17, 2016, Dial Corporation was accumulating D001 and D003 hazardous waste aerosol cans in an open plastic container in its packaging area and in an open plastic container in its hazardous waste accumulation area. Dial Corporation was not adding or removing waste from these containers at the time of the inspection and therefore, failed to properly manage these two containers of hazardous waste.

Proposed Penalty for Violation No. 4: \$815.00

Violation No. 5: Failure to File Biennial Report

25 Pa Code § 262a.41 provides that a generator who ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States must prepare and submit a single copy of a Biennial Report to the PADEP by March 1 of each even numbered year. At the time of the EPA inspection, Respondent had not filed the hazardous waste biennial reports due on March 1, 2014 and March 1, 2016.

Proposed Penalty for Violation No. 4: \$9,142

Violation No. 6: Failure to Store Universal Waste Lamps in Closed Structurally Sound Container

25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.13(d)(1), requires that a small quantity handler of universal waste, specifically, universal waste "lamps," store such lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. At the time of the inspection on May 17, 2016, Dial Corporation was storing universal waste lamps in a cardboard box that ripped open when the Facility representative moved the box to determine whether a label had been applied to the box. Dial Corporation violated 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.13(d)(1), by failing to store universal waste lamps in closed structurally sound container.

Proposed Penalty for Violation No. 6: \$489.00

Violation No. 7: Failure to Label Container of Universal Waste Lamps

25 Pa. Code § 266b.1, which incorporates by reference, 40 C.F.R. § 273.14(e), requires that, for small quantity handlers of universal waste lamps, each lamp or container or package containing such lamps, must be clearly marked or labeled with one of the following phrases: "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)." At the time of the inspection on May 17, 2016, Dial Corporation was storing universal waste lamps in a container that did not have a box checked for Universal Waste Lamps on its label nor did it have any other form of insignia to denote the storage of universal waste lamps in the container.

Proposed Penalty for Violation No. 7: \$489.00

Violation No. 8: Failure to Mark or Demonstrate Accumulation Start Date for Universal Waste Batteries

25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.15(c), requires that a small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date that it becomes a waste or has been received. 40 C.F.R. § 273.15(c)(1) provides that the handler may

make this demonstration by placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received. 40 C.F.R. § 273.15(c)(2) though (6) provides that this demonstration may also be made by marking each individual item with the date that it becomes a waste, maintaining an inventory system that identifies the earliest date that items became waste, placing universal waste in specific accumulation areas that identify the earliest date that items became waste, or any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. At the time of the inspection on May 17, 2016, Dial Corporation had not marked nor was it able to identify an accumulation start date for a container of universal waste batteries.

Proposed Penalty for Violation No. 8: \$489.00

II. REQUEST TO SHOW CAUSE

EPA has determined that the issuance of an Administrative Complaint seeking assessment of a civil penalty concerning the aforesaid violations and issuance of a Compliance Order requiring compliance with the PaHWR is the appropriate enforcement response in this matter.

Prior to issuing this Administrative Complaint, however, EPA is providing Dial Corporation the opportunity to confer with the Agency and show cause as to why an Administrative Complaint should not be issued by the Agency in this matter. **EPA is requesting that Dial Corporation contact the Agency within fourteen (14) calendar days of receipt of this letter to discuss this matter.** This opportunity will be made available at a meeting with EPA in Philadelphia on a mutually convenient date or by telephone conference. To facilitate settlement discussions and to supplement EPA's understanding of the compliance activities taken by Dial Corporation concerning these alleged violations, EPA requests that Dial Corporation submit such additional documentation which may be in its possession or control that identifies any and all measures taken to address the violations identified herein. If the compliance measures identified are planned or are on-going, please provide a schedule for when the compliance measures will be completed. Please send any and all supplemental information that you wish EPA representatives to review and consider in this matter to the attention of either:

Rebecca Serfass
U.S. Environmental Protection Agency, Region III
Land and Chemicals Division (3LC32)
1650 Arch Street
Philadelphia, Pennsylvania 19103

or

T. Chris Minshall
Sr. Assistant Regional Counsel
U.S. Environmental Protection Agency, Region III
Office of Regional Counsel (3RC30)
1650 Arch Street
Philadelphia, Pennsylvania 19103.

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Dial Corporation must also include as part of any submission of information or documentation to EPA pursuant to this Request to Show Cause the following certification signed and dated by a responsible corporate officer of your corporation:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this response to Information Request and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining or compiling the information, I believe that the submitted information is true, accurate, and complete. I recognize that there are significant penalties for submitting false and/or misleading information, including the possibility of fine and/or imprisonment."

Signature: _____
Printed Name: _____
Title: _____

This Request to Show Cause is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

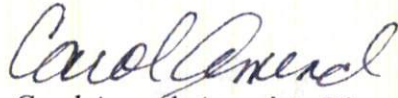
Additionally, please find enclosed a document entitled "Information Sheet" concerning Small Business Resources and the Small Business Regulatory Enforcement and Fairness Act ("SBREFA") (Enclosure 3). This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve Dial Corporation of its obligation to respond in a timely manner to an EPA enforcement action, create any rights or defenses under

law, and will not affect EPA's decision to pursue this enforcement action. To preserve Dial Corporation legal rights, Dial Corporation must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action.

Finally, please be advised that certain companies may be required to disclose to the Securities and Exchange Commission the existence of certain pending or known to be contemplated environmental legal proceedings (administrative or judicial) arising under Federal, State or local environmental laws. Please see the attached "Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings" for more information about this SEC requirement (Enclosure 4).

If you have any other questions concerning this matter, you may contact Ms. Rebecca Serfass of my staff at (215) 814-2047, or if your company is represented by counsel, please have him/her contact Mr. T. Chris Minshall, the attorney assigned to this matter, at (215) 814-2473.

Sincerely,



Carol Amend, Associate Director
Office of RCRA Programs

Enclosures

- 1) *RCRA Civil Penalty Policy* (June 2003)
- 2) *Adjusted Penalty Policy Matrices* (only the RCRA C revised penalty matrix and multi-day penalty charts included)
- 3) *SBREFA Information Sheet*
- 4) *Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings*

cc: Rebecca Serfass (3LC32)
T. Chris Minshall (3RC30)
Scott Eady, 1110 Nasa Parkway, Suite 470, Houston, TX 77085

Dial Corp.

7/19/17

4.) Closed H/W drums -

only open when actively
adding

photo. ~8G in maintenance
drum. NOT punctured.

5.) BR - 2015 & 2013 PR

submitted on 7/11/17

6.) UN - Haz. UN Mngmt Plan
at Site now. Area now
near 90day H/WAA.
box to be kept closed.

Auditing cycle on rolling basis
at sites

Facility Penalty Calculation

Count I: 90 day storage

Potential for harm: human health
env. minor
understand threat to program.

moderate / moderate

bottom \$7,090

mod/mod per day 31 days excess

$$31 \times \$360 = \$11,160$$

$$= \$18,250$$

No adjustments to other counts

10% reduction

~\$55,000 proposed penalty from Facility.

- Looked @ similar situations to compare from press releases.

Gubilant Cadista comparison.

2014 event
manifest from 9/18/14

Corrective actions

- 1.) 90 day Storage - 90 day HWA has been identified. Notice to State for LQG. Weekly insp.'s

- Small containers from lab equip. now being emptied into 1- SAA drum into the Plamm. cabinet, then to 90 day area.
↳ back loading dock near UW Storage.

- 2.) Training - Updated training gave records

- 3.) CP - updated, provided notif. to emergency response center abt that.

Show Cause Meeting with Dial Corporation

7/19/17

David Rockman - attorney

Scott Eady - SHE Director for
N. America

- came in in March and started getting hold on status of W. Hazelton facility
- generally making best effort had guidance from someone about episodic / some misunderstandings.

2 drums area.

- inspected on daily basis recorded
- in flammable cabinet
- how it's generated, only 1 drum over 90 instead of 2

Serfass, Rebecca

From: Serfass, Rebecca
Sent: Monday, May 01, 2017 12:06 PM
To: Minshall, Chris
Subject: Dial Corp - greater than 90 day storage dates

Hi Chris,

Per your request: storage violation dates

<u>Start Accumulation</u>	<u>Shipped Off</u>	<u>Day 91</u>	<u>Waste Code(s)</u>	<u>Manifest Number</u>	<u>Drums</u>	<u>Days over 90</u>
4/26/2013	8/5/2013	7/25/2013	D001, F003	011073035	2 DR	12
6/18/2014	12/23/2014	9/16/2014	D001, D022, F003	007685113 FLE	2 DR	99
2/20/2015	6/1/2015	5/21/2015	D001, D002, D022, F003	008210120 FLE	2 DR	12

Periods of violation begin on day 91, noted above, through the shipped off date. Additional manifest details, if needed, can be found in the spreadsheet I sent. Let me know if you have any other questions. Thanks!

Best,
Rebecca Serfass
RCRA Waste Branch
Land and Chemicals Division
1650 Arch Street (3LC32)
Philadelphia, PA 19103-2029
(p): 215-814-2047
(e): serfass.rebecca@epa.gov

This becomes 2 separate instances
of 2 days and 5 days = 31



Dial Corporation - GeneratorStatus InfoExceedance Days

<u>Month</u>	<u>Status</u>	<u>Start Accumulation</u>	<u>Shipped Off</u>	<u>Waste Code(s)</u>	<u>Manifest Number</u>	<u>Drums</u>	<u>Days over 90</u>
Jan-12	SQG	4/26/2013	8/5/2013	D001, F003	011073035	2 DR	12
Feb-12	SQG	6/18/2014	12/23/2014	D001, D022, F003	007685113 FLE	2 DR	99
Mar-12	SQG	2/20/2015	6/1/2015	D001, D002, D022, F003	008210120 FLE	2 DR	12
Apr-12	SQG						
May-12	SQG						
Jun-12	SQG						
Jul-12	SQG						
Aug-12	SQG						
Sep-12	SQG						
Oct-12	SQG						
Nov-12	SQG						
Dec-12	SQG						
Jan-13	SQG						
Feb-13	SQG						
Mar-13	SQG						
Apr-13	LOG						
May-13	LOG						
Jun-13	LOG						
Jul-13	SQG						
Aug-13	SQG						
Sep-13	SQG						
Oct-13	SQG						
Nov-13	SQG						
Dec-13	LOG						
Jan-14	LOG						
Feb-14	LOG						
Mar-14	LOG						
Apr-14	LOG						
May-14	SQG						

~3785kg of waste generated in August disposed of on 9/4/16

Last time Facility was LOG
8/30/2015

+ 008210120 FLE 1 DR

Jun-14	LQG
Jul-14	SQG
Aug-14	SQG
Sep-14	LQG
Oct-14	SQG
Nov-14	LQG
Dec-14	LQG
Jan-15	SQG
Feb-15	LQG
Mar-15	SQG
Apr-15	SQG
May-15	LQG
Jun-15	LQG
Jul-15	SQG
Aug-15	LQG
Sep-15	LQG
Oct-15	SQG
Nov-15	SQG
Dec-15	SQG
Jan-16	SQG
Feb-16	SQG
Mar-16	SQG
Apr-16	SQG
May-16	SQG

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number					
		PAD 987 271 012	1	800-851-7156	013398858 JJK					
5. Generator's Name and Mailing Address		DIAL CORPORATION 125 JAYCEE DRIVE WEST HAZLETON, PA 18202				Generator's Site Address (if different than mailing address)				
Generator's Phone:		570-455-9880								
6. Transporter 1 Company Name		ELK TRANSPORTATION, INC.				U.S. EPA ID Number PAD 987 271 020				
7. Transporter 2 Company Name						U.S. EPA ID Number				
8. Designated Facility Name and Site Address		GIANT RESOURCE RECOVERY - SUMTER, INC. 755 INDUSTRIAL ROAD SUMTER, SC 29150				U.S. EPA ID Number SCD 036 275 626				
Facility's Phone:		803-773-1400								
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
				No.	Type					
	X	1. RQ, UN1993, Waste Flammable Liquids, n.o.s., (Methyl isobutyl Ketone, Ethanol), 3, PG II		XX	2	DM	X	110	G	D001 F003
	X	2. RQ, UN1325, Waste Flammable Solids, Organic, n.o.s., (Isopropanol), 4.1, PG II				TP				D001
		3.								
DESIGNATED FACILITY		4.								
	14. Special Handling Instructions and Additional Information									
	a) ERG# 128 (MIXED SOLVENTS - MIBK & ETHANOL) Approval # 117442									
	b) ERG# 133 (Esterquat Solids)									
	Bul to: Elk Environmental DI0915A4 / 120246									
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.										
Generator's/Offor's Printed/Typed Name Tony Swetz										
Signature [Signature]										
Month Day Year 07/15/19										
INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:									
	17. Transporter Acknowledgment of Receipt of Materials									
TRANSPORTER	Transporter 1 Printed/Typed Name Brian Kauerzahn									
	Signature [Signature]									
Month Day Year 10/9/16/19										
Transporter 2 Printed/Typed Name [Blank]										
Signature [Blank]										
Month Day Year [Blank]										
DESIGNATED FACILITY	18. Discrepancy									
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection									
	Manifest Reference Number:									
	18b. Alternate Facility (or Generator) U.S. EPA ID Number									
	Facility's Phone:									
18c. Signature of Alternate Facility (or Generator)										
Month Day Year										
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)										
1. 2. 3. 4.										
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a										
Printed/Typed Name Signature Month Day Year										

Giant Resource Recovery-Sumter, Inc.

755 Industrial Rd - PO Box 1755 - Sumter, SC 29151 - Phone: (803) 773-1400 - Fax: (803) 773-7423

CERTIFICATE OF COMPLIANCE AND DISPOSAL

Generator: **DIAL CORPORATION - HAZLETON**
125 JAYCEE DRIVE
HAZLETON PA 18202

EPA ID Number: **PAD987271012**
Manifest No: **013398858JJK**
Date Received: **9/24/2014**

Receiving Facility: **Giant Resource Recovery-Sumter, Inc.**
EPA ID No: **SCD036275626**
Facility Address: **755 Industrial Blvd.**
Sumter SC 29151

On the referenced date, your waste material was received at our facility for the purpose of treating for disposal and/or recycling for reuse.

It will be processed in accordance with state and federal regulations. Any portion not recycled for reuse will ultimately be sent by Giant Resource Recovery to a permitted disposal facility.

Document: **428373**

Date Shipped: **9/18/2014**

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number				
		PAD 987 271 012	1	800-851-7156	013398858 JJK				
5. Generator's Name and Mailing Address		DIAL CORPORATION 126 JAYCEE DRIVE WEST HAZLETON, PA 18202 Generator's Phone: 570-465-9980				Generator's Site Address (if different than mailing address)			
6. Transporter 1 Company Name		ELK TRANSPORTATION, INC.			U.S. EPA ID Number PAD 987 271 020				
7. Transporter 2 Company Name					U.S. EPA ID Number				
8. Designated Facility Name and Site Address		GIANT RESOURCE RECOVERY - SUMTER, INC. 755 INDUSTRIAL ROAD SUMTER, SC 29150 Facility's Phone: 803-773-1400			U.S. EPA ID Number SCD 036 276 626				
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes	
				No.	Type				
	X	1. RQ, UN1993, Waste Flammable Liquids, n.o.s., (Methyl Isobutyl Ketone, Ethanol), 3, PG II		XX2	DM	X/10	G	D001	F003
	X	2. RQ, UN14325, Waste Flammable Solids, Organic, n.o.s. (Isopropanol), 4.1, PG II			ESL TP			B001	
		3.							
	4.								
14. Special Handling Instructions and Additional Information									
a) ERG# 128 (MIXED SOLVENTS - MEK & ETHANOL) Approval # 117442 b) ERG# 135 (Extremely Flammable) (ESL) Bill to: Elk Environmental DI0915A4 / 120246									
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.									
Generator's/Offor's Printed/Typed Name: Tony Swetz Signature: [Signature] Month: 09 Day: 18 Year: 19									
INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:								
	17. Transporter Acknowledgment of Receipt of Materials								
TRANSPORTER	Transporter 1 Printed/Typed Name: Brian Ravenzahn				Signature: [Signature]		Month: 09 Day: 18 Year: 19		
	Transporter 2 Printed/Typed Name:				Signature:		Month: Day: Year:		
DESIGNATED FACILITY	18. Discrepancy								
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection								
	18b. Alternate Facility (or Generator) Manifest Reference Number: U.S. EPA ID Number:								
	Facility's Phone: 70-432-1105								
	18c. Signature of Alternate Facility (or Generator) Month: Day: Year:								
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)									
1. HUEL 2. 3. 4.									
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a									
Printed/Typed Name: F.H. Davis Signature: [Signature] Month: 09 Day: 18 Year: 19									

<u>Manifest #</u>	<u>Date</u>	<u>Amount (G)</u>	<u>Amount (lbs)</u>	<u>Amount (kg)</u>	<u>Waste Code(s)</u>	<u># of containers</u>	<u>Signed?</u>	<u>Generator Status</u>
008925264	1/9/2012	110	---	400.40	D001, F003	2 DR	X	
008925264	1/9/2012	110	---	400.40	D001	2 DR	X	
008925266	1/9/2012	---	50	22.73	D008	2 DF	X	
008925266	1/9/2012	---	10	4.55	D002	1 DF	X	
008925266	1/9/2012	---	10	4.55	D009, U151	1 DF	X	
008925266	1/9/2012	---	400	181.82	NONE	1 DF	X	
005015352	3/13/2012	55	---	200.20	D001, F003	1 DR	X	
009543557	3/14/2012	---	120	54.55	D001	2 DF	X	
009543557	3/14/2012	---	30	13.64	D002	1 DF	X	
009543756	5/7/2012	---	675	306.82	D001, F003	2 DR	X	
009543755	5/7/2012	---	50	22.73	D001, D002, U122	2 DF	X	
009543755	5/7/2012	30	---	109.20	D002	2 DF	X	
009543200	8/10/2012	40	---	145.60	D002	2 DF	X	
009543200	8/10/2012	150	---	546.00	D002	3 DF	X	
009543193	8/10/2012	---	900	409.09	D001, F003	2 DR	X	
009544659	11/1/2012	---	250	113.64	D001, D035, F003, F005	1 DR	X	
009544658	11/1/2012	---	450	204.55	D001, F003	1 DR	X	
009544782	11/28/2012	---	300	136.36	D001, F003	1 DR	X	
2012	Total	G	lbs	kg	monthly avg (kg)			
		495	3245	3276.80	273.07			
011074086	2/1/2013	---	750	340.91	D001, F003	2 DR	X	

011074116	2/1/2013	---	100	45.45	D001	2 DF	X	
011074395	4/25/2013	4500	---	16380.00	D002	18 TOTES	X	LQG
011074480	4/25/2013	---	900	409.09	D001, F003	2 DR	X	
011073505	5/13/2013	2500	---	9100.00	D002	11 TOTES	X	LQG
011073505	5/13/2013	165	---	600.60	D002	3 DF	X	
011073574	5/13/2013	30	---	109.2	D001	1 DR	X	
010407232	6/21/2013	2131	---	7756.84	D002	1 TT	X	LQG
011073035	8/5/2013	---	800	363.64	D001, F003	2 DR	X	
011073386	10/16/2013	---	450	204.55	D001, F003	1 DR	X	
011696244 JJK	12/31/2013	3000	---	10920.00	D002	1 TT	X	LQG

2013 Total G lbs kg monthly avg (kg)

12326 3000 46230.28 3852.52

<u>Manifest #</u>	<u>Date</u>	<u>Amount (G)</u>	<u>Amount (lbs)</u>	<u>Amount (kg)</u>	<u>Waste Code(s)</u>	<u># of containers</u>	<u>Signed?</u>	
012187401 JJK	1/6/2014	---	1000	454.55	D001, F003	2 DR	X	
012187426 JJK	1/6/2014	4675	---	17017.00	D002	17 TOTES	X	LQG
012187402 JJK	1/7/2014	30	---	109.20	D002	1 DR	X	
012187435 JJK	1/7/2014	---	14,850	6750.00	D002	6 TOTES	X	
011694241 JJK	1/10/2014	1750	---	6370.00	D002	1 TT	X	
012187425 JJK	1/10/2014	4675	---	17017.00	D002	17 TOTES	X	
012187413 JJK	1/10/2014	4675	---	17017.00	D002	17 TOTES	X	
012187414 JJK	2/11/2014	2850	---	10374.00	D002	6 TOTES	X	LQG
012187341 JJK	2/11/2014	---	450	204.55	D001, F003	1 DR	X	

012186852 JJK	3/17/2014	30	---	109.20	D001	1 DR	X
012770555 JJK	3/25/2014	1050	---	3822.00	D002	1 TT	X LQG
012186910 JJK	4/7/2014	55	---	200.20	D001, F003	1 DR	X
012186906 JJK	4/7/2014	---	40,500	18409.09	D002	15 TOTES	X LQG
012186906 JJK	4/7/2014	---	125	56.82	D002	1 DR	X
006923669 FLE	4/15/2014	5000	---	18200.00	D002	20 TOTES	X
013255066 JJK	6/2/2014	2300	---	8372.00	D002	1 TT	X LQG
013255220 JJK	6/3/2014	2400	---	8736.00	D002	1 TT	X
013255221 JJK	6/4/2014	1800	---	6552.00	D002	1 TT	X
012187843 JJK	6/17/2014	30	---	109.20	D002	1 DR	X
012187833 JJK	6/17/2014	---	900	409.09	D001, F003	2 DR	X
012187844 JJK	6/17/2014	750	---	2730.00	D002	3 TOTES	X
012187844 JJK	6/17/2014	55	---	200.20	D002	1 DR	X
013398841 JJK	9/18/2014	---	1000	454.55	D001	1 TOTE	X
013398858 JJK	9/18/2014	110	---	400.40	D001, F003	2 DR	X
007685201 FLE	9/29/2014	2250	---	8190.00	D002	9 TOTES	X LQG
007685200 FLE	9/29/2014	---	12,900	5863.64	D002	1 TT	X
007685256 FLE	9/30/2014	---	7760	3527.27	D002	1 TT	X
007684141 FLE	11/5/2014	1750	---	6370.00	D002	1 TT	X LQG
007685041 FLE	12/11/2014	3400	---	12376.00	D002	14 TOTES	X LQG
007684849 FLE	12/23/2014	---	5560	2527.27	D002	1 TT	X
007685113 FLE	12/23/2014	---	1000	454.55	D001, D022, F003	2 DR	X
007685113 FLE	12/23/2014	45	---	163.80	D001	1 DR	X

98 days

15 days

G lbs kg monthly avg (kg)

2014 Total 39570 86,045 183146.16 15262.18

Manifest #	Date	Amount (G)	Amount (lbs)	Amount (kg)	Waste Code(s)	# of containers	Signed?
007685818 FILE	2/19/2015	2475	---	9009.00	D002	9 TOTES	X LQG
007685819 FILE	2/19/2015	---	650	295.45	D001, D002, D022, F003	2 DR	X
008205536 FILE	5/15/2015	---	11,000	5000.00	D002	1 TT	X LQG
008210118 FILE	6/1/2015	---	44,200	20090.91	D002	---	X LQG
008210120 FILE	6/1/2015	---	900	409.09	D001, D002, D022, F003	2 DR	X
008210120 FILE	6/1/2015	---	100	45.45	D001, D002, D022, F003	1 DR	X
008210120 FILE	6/1/2015	---	450	204.55	D001	1 DR	X
008210119 FILE	6/1/2015	---	15,750	7159.09	D002	7 TOTES	X
007675178 FILE	6/29/2015	---	14,220	6463.64	D002	1 TT	X
008949059 FILE	8/13/2015	---	900	409.09	D001	2 DR	X
008949059 FILE	8/13/2015	---	60	27.27	D001, D002, D022, F003	1 DR	X
008949060 FILE	8/13/2015	---	23,500	10681.82	D002	9 TOTES	X LQG
008947562 FILE	8/26/2015	4420	---	16088.80	D002	17 TOTES	X
008947675 FILE	9/4/2015	1040	---	3785.60	D002	4 TOTES	X LQG
008947676 FILE	9/4/2015	---	70	31.82	D001, F003, F005	1 DR	X
008955819 FILE	11/13/2015	---	900	409.09	D001, D022, F003	2 DR	X
008955819 FILE	11/13/2015	---	38	17.27	D001	1 DR	X
2015 Total		G	lbs	kg	monthly avg (kg)		
		7935	112,738	80127.95	6677.33		
009463724 FILE	2/23/2016	---	800	363.64	D001, D002, D022, F003	2 DR	X

009463724 FLE	2/23/2016	---	80	36.36	D001	1 DR	X
009463724 FLE	2/23/2016	---	300	136.36	D002	2 DR	X
009416670 FLE	5/5/2016	---	1000	454.55	D001, D022, F003	2 DR	NO

2016	Total	G	lbs	kg	monthly avg (kg)
		---	2180	990.91	220.20

SENT VIA CERTIFIED MAIL

Tracking Document # 7004251000572608049

July 11, 2017

Regional Administrator
EPA - Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

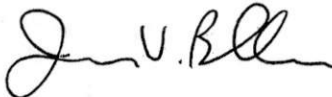
**RE: Biennial Reporting
The Dial Corporation
EPA ID: PAD987271012**

Dear Sir,


The Dial Corporation completed an audit which discovered that the Biennial Reports for 2014 and 2016 should have been completed. Enclosed you will find these Biennial Reports for your review.

If you have any questions, please feel free to contact the SHE Manager, Janine Surmick, at Janine.surmick@henkel.com.

Sincerely,

A handwritten signature in black ink, appearing to read "J. V. Babula".

James Babula,
Acting Plant Manager

SEND COMPLETED FORM TO: The Appropriate State or Regional Office.	United States Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION FORM		
1. Reason for Submittal MARK ALL BOX(ES) THAT APPLY	Reason for Submittal: <input type="checkbox"/> To provide an Initial Notification (first time submitting site identification information / to obtain an EPA ID number for this location) <input type="checkbox"/> To provide a Subsequent Notification (to update site identification information for this location) <input type="checkbox"/> As a component of a First RCRA Hazardous Waste Part A Permit Application <input type="checkbox"/> As a component of a Revised RCRA Hazardous Waste Part A Permit Application (Amendment # _____) <input checked="" type="checkbox"/> As a component of the Hazardous Waste Report (If marked, see sub-bullet below) <input checked="" type="checkbox"/> Site was a TSD facility and/or generator of >1,000 kg of hazardous waste, >1 kg of acute hazardous waste, or >100 kg of acute hazardous waste spill cleanup in one or more months of the report year (or State equivalent LQG regulations)		
2. Site EPA ID Number	EPA ID Number P A D 9 8 7 2 7 1 0 1 2		
3. Site Name	Name: The Dial Corporation, A Henkel Company		
4. Site Location Information	Street Address: 125 Jaycee Drive City, Town, or Village: West Hazelton County: Luzerne State: Pennsylvania Country: United States Zip Code: 18202		
5. Site Land Type	<input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other		
6. NAICS Code(s) for the Site (at least 5-digit codes)	A. 3 2 5 6 1 1 C. B. D. 		
7. Site Mailing Address	Street or P.O. Box: 125 Jaycee Drive City, Town, or Village: West Hazelton State: Pennsylvania Country: United States Zip Code: 18202		
8. Site Contact Person	First Name: Anthony MI: Last: Swetz Title: Environmental Coordinator Street or P.O. Box: 125 Jaycee Drive City, Town or Village: West Hazelton State: PA Country: US Zip Code: 18202 Email: tony.swetz@henkel.com Phone: 570-455-9980 Ext.: 105 Fax: 570-455-5499		
9. Legal Owner and Operator of the Site	A. Name of Site's Legal Owner: Henkel Consumer Goods, Inc. Owner Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other Street or P.O. Box: 7201 East Henkel Way City, Town, or Village: Scottsdale Phone: 580-754-3425 State: Arizona Country: US Zip Code: 85255 B. Name of Site's Operator: The Dial Corporation Operator Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other		

10. Type of Regulated Waste Activity (at your site)

Mark "Yes" or "No" for all current activities (as of the date submitting the form); complete any additional boxes as instructed.

A. Hazardous Waste Activities; Complete all parts 1-10.

- Y ☒ N ☐ **1. Generator of Hazardous Waste**
If "Yes," mark only one of the following – a, b, or c.
- ☒ a. LQG: Generates, in any calendar month, 1,000 kg/mo (2,200 lbs/mo.) or more of hazardous waste; or Generates, in any calendar month, or accumulates at any time, more than 1 kg/mo (2.2 lbs/mo) of acute hazardous waste; or Generates, in any calendar month, or accumulates at any time, more than 100 kg/mo (220 lbs/mo) of acute hazardous spill cleanup material.
- ☐ b. SQG: 100 to 1,000 kg/mo (220 – 2,200 lbs/mo) of non-acute hazardous waste.
- ☐ c. CESQG: Less than 100 kg/mo (220 lbs/mo) of non-acute hazardous waste.

If "Yes" above, indicate other generator activities in 2-10.

- Y ☐ N ☒ **2. Short-Term Generator** (generate from a short-term or one-time event and not from on-going processes). If "Yes," provide an explanation in the Comments section.
- Y ☐ N ☒ **3. United States Importer of Hazardous Waste**
- Y ☐ N ☒ **4. Mixed Waste (hazardous and radioactive) Generator**

- Y ☐ N ☒ **5. Transporter of Hazardous Waste**
If "Yes," mark all that apply.

- ☐ a. Transporter
- ☐ b. Transfer Facility (at your site)

- Y ☐ N ☒ **6. Treater, Storer, or Disposer of Hazardous Waste** Note: A hazardous waste Part B permit is required for these activities.

- Y ☐ N ☒ **7. Recycler of Hazardous Waste**

- Y ☐ N ☒ **8. Exempt Boiler and/or Industrial Furnace**
If "Yes," mark all that apply.

- ☐ a. Small Quantity On-site Burner Exemption
- ☐ b. Smelting, Melting, and Refining Furnace Exemption

- Y ☐ N ☒ **9. Underground Injection Control**

- Y ☐ N ☒ **10. Receives Hazardous Waste from Off-site**

B. Universal Waste Activities; Complete all parts 1-2.

- Y ☐ N ☒ **1. Large Quantity Handler of Universal Waste** (you accumulate 5,000 kg or more) [refer to your State regulations to determine what is regulated]. Indicate types of universal waste managed at your site. If "Yes," mark all that apply.

- a. Batteries ☐
- b. Pesticides ☐
- c. Mercury containing equipment ☐
- d. Lamps ☐
- e. Other (specify) _____ ☐
- f. Other (specify) _____ ☐
- g. Other (specify) _____ ☐

- Y ☐ N ☒ **2. Destination Facility for Universal Waste**
Note: A hazardous waste permit may be required for this activity.

C. Used Oil Activities; Complete all parts 1-4.

- Y ☐ N ☒ **1. Used Oil Transporter**
If "Yes," mark all that apply.

- ☐ a. Transporter
- ☐ b. Transfer Facility (at your site)

- Y ☐ N ☒ **2. Used Oil Processor and/or Re-refiner**
If "Yes," mark all that apply.

- ☐ a. Processor
- ☐ b. Re-refiner

- Y ☐ N ☒ **3. Off-Specification Used Oil Burner**

- Y ☐ N ☒ **4. Used Oil Fuel Marketer**
If "Yes," mark all that apply.

- ☐ a. Marketer Who Directs Shipment of Off-Specification Used Oil to Off-Specification Used Oil Burner
- ☐ b. Marketer Who First Claims the Used Oil Meets the Specifications

D. Eligible Academic Entities with Laboratories—Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR Part 262 Subpart K

❖ You can ONLY Opt Into Subpart K if:

- you are at least one of the following: a college or university; a teaching hospital that is owned by or has a formal affiliation agreement with a college or university; or a non-profit research institute that is owned by or has a formal affiliation agreement with a college or university; AND
- you have checked with your State to determine if 40 CFR Part 262 Subpart K is effective in your state

Y ☐ N ☒ 1. Opting into or currently operating under 40 CFR Part 262 Subpart K for the management of hazardous wastes in laboratories
See the Item-by-Item Instructions for definitions of types of eligible academic entities. Mark all that apply:

- ☐ a. College or University
- ☐ b. Teaching Hospital that is owned by or has a formal written affiliation agreement with a college or university
- ☐ c. Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

Y ☐ N ☒ 2. Withdrawing from 40 CFR Part 262 Subpart K for the management of hazardous wastes in laboratories**11. Description of Hazardous Waste****A. Waste Codes for Federally Regulated Hazardous Wastes.** Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more spaces are needed.

D001	D002	D022	D035	F003	F005	

B. Waste Codes for State-Regulated (i.e., non-Federal) Hazardous Wastes. Please list the waste codes of the State-Regulated hazardous wastes handled at your site. List them in the order they are presented in the regulations. Use an additional page if more spaces are needed.

12. Notification of Hazardous Secondary Material (HSM) Activity

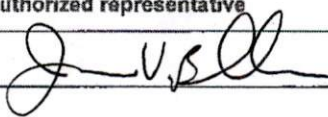
Y ☐ N ☒ Are you notifying under 40 CFR 260.42 that you will begin managing, are managing, or will stop managing hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25)?

If "Yes," you must fill out the Addendum to the Site Identification Form: Notification for Managing Hazardous Secondary Material.

13. Comments

In 2014 and 2015 the facility experienced hydrolysis reaction events with the raw material, called AES, (or High Active Sodium Laureth Sulfate) while in the raw material storage tank prior to use in the production process. The hydrolysis reaction acidified the AES to a point where it was unusable in the production process. Disposing of the off-specification raw material from the 8,000 gallon storage tank generated up to 30,000 KG of corrosive waste.

14. **Certification.** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations. For the RCRA Hazardous Waste Part A Permit Application, all owner(s) and operator(s) must sign (see 40 CFR 270.10(b) and 270.11).

Signature of legal owner, operator, or an authorized representative	Name and Official Title (type or print)	Date Signed (mm/dd/yyyy)
	James V. Babula, Acting Plant Manager	07/11/2017

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL
OR ENTER:

SITE NAME: The Dial Corporation

EPA ID Number P A D 9 8 7 2 7 1 0 1 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY

2015 Hazardous Waste Report

GM
FORMWASTE GENERATION
AND MANAGEMENT

Sec. 1 A. Waste description: Flammable spent lab solvents

B. EPA hazardous waste code(s)

D 0 0 1 D 0 0 2 D 0 2 2

F 0 0 3

C. State hazardous waste code(s)

D. Source code

G 2 2

E. Form code

W 2 0 3

F. Quantity generated in 2015

1 6 5 0 0

UOM 1

Density lbs/gal sg

G. Waste

minimization code

X

Management Method code for Source code G25

Sec. 2 Was any of this waste that was generated at this facility treated, disposed, and/or recycled on site?

☐ Yes (CONTINUE TO ON-SITE PROCESS SYSTEM 1)☒ No (SKIP TO SEC. 3)

ON-SITE PROCESS SYSTEM 1

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

ON-SITE PROCESS SYSTEM 2

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

Sec. 3 A. Was any of this waste shipped off site in 2015 for treatment, disposal, or recycling?

☒ Yes (CONTINUE TO ITEM B)☐ No (FORM IS COMPLETE)

Site 1 B. EPA ID No. of facility to which waste was shipped

P A D 0 8 5 6 9 0 5 9 2

C. Off-site Management
Method code shipped to

H 0 4 0

D. Total quantity shipped in 2015

1 6 5 0 0

Site 2 B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Site 3 B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Comments:

No minimization effort for this waste. Waste is created performing routine laboratory analysis on incoming raw materials and finished products.

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL
OR ENTER:

SITE NAME: The Dial Corporation

EPA ID Number P A D 9 8 7 2 7 1 0 1 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY

2015 Hazardous Waste Report

GM
FORMWASTE GENERATION
AND MANAGEMENT

Sec. 1 A. Waste description: Flammable spent lab solvents

B. EPA hazardous waste code(s)

D 0 0 1 D 0 0 2 D 0 2 2

F 0 0 3

C. State hazardous waste code(s)

D. Source code

G 2 2

E. Form code

W 2 0 3

F. Quantity generated in 2015

1 8 0 0 0

G. Waste
minimization code

B

Management Method code for Source code G25

UOM 1

Density lbs/gal sg

Sec. 2 Was any of this waste that was generated at this facility treated, disposed, and/or recycled on site?

☐ Yes (CONTINUE TO ON-SITE PROCESS SYSTEM 1)☒ No (SKIP TO SEC. 3)

ON-SITE PROCESS SYSTEM 1

ON-SITE PROCESS SYSTEM 2

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

Sec. 3 A. Was any of this waste shipped off site in 2015 for treatment, disposal, or recycling?

☒ Yes (CONTINUE TO ITEM B)☐ No (FORM IS COMPLETE)

Site 1 B. EPA ID No. of facility to which waste was shipped

P A D 0 8 5 6 9 0 5 9 2

C. Off-site Management
Method code shipped to

H 0 6 1

D. Total quantity shipped in 2015

1 8 0 0 0

Site 2 B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Site 3 B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Comments:

Waste is blended into alternative fuel off-site.

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL
OR ENTER:

SITE NAME: The Dial Corporation

EPA ID Number P A D 9 8 7 2 7 1 0 1 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY

2015 Hazardous Waste Report

GM
FORMWASTE GENERATION
AND MANAGEMENT

Sec. 1	A. Waste description: Lab pack samples of Flammable Esterquat Quarternary Ammonium Compound containing up to 15% Ethanol			
B. EPA hazardous waste code(s)		C. State hazardous waste code(s)		
D 0 0 1				
D. Source code		E. Form code	F. Quantity generated in 2015	
G 1 9		W 0 0 1	3 8 0	
Management Method code for Source code G25		UOM 1	G. Waste minimization code	
		Density	X	
Sec. 2 Was any of this waste that was generated at this facility treated, disposed, and/or recycled on site? <input type="checkbox"/> Yes (CONTINUE TO ON-SITE PROCESS SYSTEM 1) <input checked="" type="checkbox"/> No (SKIP TO SEC. 3)				
ON-SITE PROCESS SYSTEM 1		ON-SITE PROCESS SYSTEM 2		
On-site Management Method code	Quantity treated, disposed, or recycled on site in 2015	On-site Management Method code	Quantity treated, disposed, or recycled on site in 2015	
H		H		
Sec. 3 A. Was any of this waste shipped off site in 2015 for treatment, disposal, or recycling? <input checked="" type="checkbox"/> Yes (CONTINUE TO ITEM B) <input type="checkbox"/> No (FORM IS COMPLETE)				
Site 1	B. EPA ID No. of facility to which waste was shipped	C. Off-site Management Method code shipped to	D. Total quantity shipped in 2015	
	P A D 0 8 5 6 9 0 5 9 2	H 0 6 1	3 8 0	
Site 2	B. EPA ID No. of facility to which waste was shipped	C. Off-site Management Method code shipped to	D. Total quantity shipped in 2015	
Site 3	B. EPA ID No. of facility to which waste was shipped	C. Off-site Management Method code shipped to	D. Total quantity shipped in 2015	
Comments: Lab pack from chemical retains. Waste is blended into alternative fuel off-site.				

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL
OR ENTER:

SITE NAME: The Dial Corporation

EPA ID Number P A D 9 8 7 2 7 1 0 1 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY

2015 Hazardous Waste Report

GM
FORMWASTE GENERATION
AND MANAGEMENT

Sec. 1 A. Waste description: Flammable Esterquat Quarternary Ammonium Compound containing up to 15% Ethanol and spill materials.

B. EPA hazardous waste code(s)

D 0 0 1

C. State hazardous waste code(s)

D. Source code

G 3 2

E. Form code

W 0 0 2

F. Quantity generated in 2015

5 1 0 0

G. Waste
minimization code

X

Management Method code for Source code G25

UOM 1

Density lbs/gal sg

Sec. 2 Was any of this waste that was generated at this facility treated, disposed, and/or recycled on site?

☐ Yes (CONTINUE TO ON-SITE PROCESS SYSTEM 1)☒ No (SKIP TO SEC. 3)

ON-SITE PROCESS SYSTEM 1

ON-SITE PROCESS SYSTEM 2

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

Sec. 3 A. Was any of this waste shipped off site in 2015 for treatment, disposal, or recycling?

☒ Yes (CONTINUE TO ITEM B)☐ No (FORM IS COMPLETE)

Site 1

B. EPA ID No. of facility to which waste was shipped

P A D 0 8 5 6 9 0 5 9 2

C. Off-site Management
Method code shipped to

H 0 6 1

D. Total quantity shipped in 2015

5 1 0 0

Site 2

B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Site 3

B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Comments:

Waste generated during maintenance. Waste is blended into alternative fuels off-site.

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL
OR ENTER:

SITE NAME: The Dial Corporation

EPA ID Number

P A D 9 8 7 2 7 1 0 1 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY~~2015~~
2013 Hazardous Waste ReportGM
FORMWASTE GENERATION
AND MANAGEMENT

Sec. 1 A. Waste description: Raw Material that hydrolized after delivery and degraded into a low pH material.

B. EPA hazardous waste code(s)

D 0 0 2

C. State hazardous waste code(s)

D. Source code

G 1 1

E. Form code

W 5 1 9

F. Quantity generated in ~~2015~~ 2013

9 2 9 6 0 0

G. Waste

minimization code

X

Management Method code for Source code G25

UOM 1

Density lbs/gal sg

Sec. 2 Was any of this waste that was generated at this facility treated, disposed, and/or recycled on site?

☐ Yes (CONTINUE TO ON-SITE PROCESS SYSTEM 1)☒ No (SKIP TO SEC. 3)

ON-SITE PROCESS SYSTEM 1

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

ON-SITE PROCESS SYSTEM 2

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

Sec. 3 A. Was any of this waste shipped off site in 2015 for treatment, disposal, or recycling?

☒ Yes (CONTINUE TO ITEM B)☐ No (FORM IS COMPLETE)

2013

Site 1 B. EPA ID No. of facility to which waste was shipped

M I D 9 8 0 9 9 1 5 6 6

C. Off-site Management
Method code shipped to

H 1 1 0

D. Total quantity shipped in ~~2015~~ 2013

7 1 6 5 0 0

Site 2 B. EPA ID No. of facility to which waste was shipped

N J D 0 0 2 2 0 0 0 4 6

C. Off-site Management
Method code shipped to

H 1 1 0

D. Total quantity shipped in ~~2015~~ 2013

2 1 3 1 0 0

Site 3 B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Comments:

This is a extremely viscous material.

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL
OR ENTER:

SITE NAME: The Dial Corporation

U.S. ENVIRONMENTAL
PROTECTION AGENCY2013
2015 Hazardous Waste Report

EPA ID Number P A D 9 8 7 2 7 1 0 1 2

GM
FORMWASTE GENERATION
AND MANAGEMENT

Sec. 1 A. Waste description: Flammable spent lab solvents

B. EPA hazardous waste code(s)

D 0 0 1 F 0 0 3

C. State hazardous waste code(s)

D. Source code

G 2 2

E. Form code

W 2 0 3

F. Quantity generated in 2015 2013

2 9 0 0 0

G. Waste
minimization code

X

Management Method code for Source code G25

UOM 1

Density lbs/gal sg

Sec. 2 Was any of this waste that was generated at this facility treated, disposed, and/or recycled on site?

☐ Yes (CONTINUE TO ON-SITE PROCESS SYSTEM 1)☒ No (SKIP TO SEC. 3)

ON-SITE PROCESS SYSTEM 1

ON-SITE PROCESS SYSTEM 2

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

Sec. 3 A. Was any of this waste shipped off site in 2015 for treatment, disposal, or recycling?

☒ Yes (CONTINUE TO ITEM B)☐ No (FORM IS COMPLETE)

2013

Site 1 B. EPA ID No. of facility to which waste was shipped

S C D 0 3 6 2 7 5 6 2 6

C. Off-site Management
Method code shipped to

H 0 6 1

D. Total quantity shipped in 2015

2 9 0 0 0

Site 2 B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Site 3 B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Comments:

No minimization effort for this waste. Waste is created performing routine laboratory analysis on incoming raw materials and finished products.

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL
OR ENTER:

SITE NAME: The Dial Corporation

EPA ID Number P A D 9 8 7 2 7 1 0 1 2

U.S. ENVIRONMENTAL
PROTECTION AGENCYGM
FORM

2015 Hazardous Waste Report

WASTE GENERATION
AND MANAGEMENT

Sec. 1 A. Waste description: Lab pack samples of Flammable Esterquat Quarternary Ammonium Compound containing up to 15% Ethanol

B. EPA hazardous waste code(s)

D 0 0 1

C. State hazardous waste code(s)

D. Source code

G 1 9

E. Form code

W 0 0 1

F. Quantity generated in 2015

3 8 0

G. Waste
minimization code

X

Management Method code for Source code G25

UOM 1

Density lbs/gal sg

Sec. 2 Was any of this waste that was generated at this facility treated, disposed, and/or recycled on site?

☐ Yes (CONTINUE TO ON-SITE PROCESS SYSTEM 1)☒ No (SKIP TO SEC. 3)

ON-SITE PROCESS SYSTEM 1

ON-SITE PROCESS SYSTEM 2

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

On-site Management
Method codeQuantity treated, disposed, or
recycled on site in 2015

H

Sec. 3 A. Was any of this waste shipped off site in 2015 for treatment, disposal, or recycling?

☒ Yes (CONTINUE TO ITEM B)☐ No (FORM IS COMPLETE)

Site 1

B. EPA ID No. of facility to which waste was shipped

P A D 0 8 5 6 9 0 5 9 2

C. Off-site Management
Method code shipped to

H 0 6 1

D. Total quantity shipped in 2015

3 8 0

Site 2

B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Site 3

B. EPA ID No. of facility to which waste was shipped

C. Off-site Management
Method code shipped to

D. Total quantity shipped in 2015

Comments:

Lab pack from chemical retains. Waste is blended into alternative fuel off-site.

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City, State, ZIP+4 Philadelphia PA 19103-2029		
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Satellite Accumulation Site for Aerosol Can Waste



90-day accumulation Site for Lab Waste

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Tracking Document # 7004 2510 0005 7260 8063

July 13, 2017

Lehigh Valley Hospital
700 East Broad Street
Hazleton, PA 18201

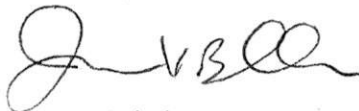
RE: Emergency Response, Fire Prevention & RCRA Contingency Plan
The Dial Corporation
125 Jaycee Drive
West Hazleton, PA 18202

Dear Sir/Madam:

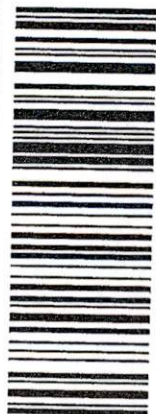
Enclosed you will find the Emergency Response, Fire Prevention and RCRA Contingency Plan for The Dial Corporation, a Henkel Company located in West Hazleton.

If you have any questions, please feel free to contact me at 570-455-9980 ex 120, or at james.babula@henkel.com.

Sincerely,



James Babula
Interim Plant Manager



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PS Form 3800, June 2002	

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July 13, 2017

West Hazleton Police Department
122 East Broad Street
West Hazleton, PA 18202

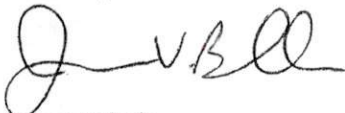
**RE: Emergency Response, Fire Prevention & RCRA Contingency Plan
The Dial Corporation
125 Jaycee Drive
West Hazleton, PA 18202**

Dear Sir/Madam:

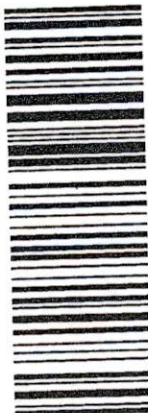
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Sincerely,



James Babula
Interim Plant Manager



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July 13, 2017

West Hazleton Fire Department
12 South 4th Street
West Hazleton, PA 18202

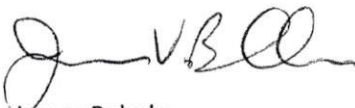
**RE: Emergency Response, Fire Prevention & RCRA Contingency Plan
 The Dial Corporation
 125 Jaycee Drive
 West Hazleton, PA 18202**

Dear Sir/Madam:

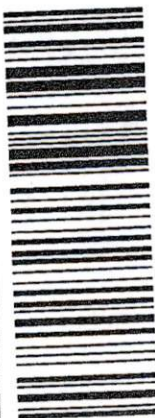
Enclosed you will find the Emergency Response, Fire Prevention and RCRA Contingency Plan for The Dial Corporation, a Henkel Company located in West Hazleton.

If you have any questions, please feel free to contact me at 570-455-9980 ex 120, or at james.babula@henkel.com.

Sincerely,



James Babula
Interim Plant Manager



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7004 2510 0005 7260 8094

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Total Postage & Fees	\$ 7.71
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Tracking Document # 7004 2510 0005 7260 8070

July 13, 2017

Luzerne County EMA
185 Water Street
Wilkes Barre, PA 18711

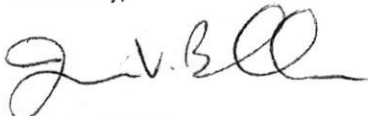
RE: Emergency Response, Fire Prevention & RCRA Contingency Plan
The Dial Corporation
125 Jaycee Drive
West Hazleton, PA 18202

Dear Sir/Madam:

Enclosed you will find the Emergency Response, Fire Prevention and RCRA Contingency Plan for The Dial Corporation, a Henkel Company located in West Hazleton.

If you have any questions, please feel free to contact me at 570-455-9980 ex 120, or at james.babula@henkel.com.

Sincerely,



James Babula
Interim Plant Manager



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7004 2510 0005 7260 8070

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Total Postage & Fees	\$ 7.71

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Sen Luzerne County EMA
Sire 185 Water Street
or F
City Wilkes-Barre, PA 18711

SENT VIA CERTIFIED MAIL

Tracking Document # 7004 2510 0005 7260 8056

July 13, 2017

Greater Hazleton Joint Sewer Authority
Pretreatment Coordinator
P.O. Box 651
Hazleton, PA 18201-0651

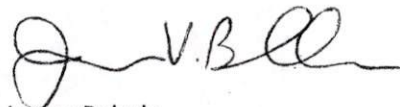
RE: Emergency Response, Fire Prevention & RCRA Contingency Plan
The Dial Corporation
125 Jaycee Drive
West Hazleton, PA 18202

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Sincerely,



James Babula
Interim Plant Manager



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7004 2510 0005 7260 8056

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.71
Pretreatment Coordinator Gr. Hazleton Jt. Sewer Authority PO Box 652 Hazleton, PA 18201	

Postmark
7-14-17

For instructions



Training Attendance Record

Cover Page - Required.

Course Title: Hazardous Waste Training

(Please use the same title each time this class is delivered)

CEUs:

(If applicable)

Date(s): July 17, 2017

Start Time(s):

End Time(s):

Total hours:

Location: ☒ Henkel facility West Hazleton

☐ Off-site

Business Unit: B & L

Provider: ☒ Henkel ☐ Vendor

(Name of training company)

(Vendor address / location - if known)

Henkel Contact: NA

Tuition: NA

Vendor Invoice / Material Cost

Trainer's Transp. Cost:

(Name of Henkel person organizing training) (Chargeback cost to participant)

(Indicate if total or per person cost) (if known)

Instructor(s): Tony Swetz and Dan Dule

Method of Delivery: ☒ Classroom ☐ Virtual

(Include Global (employee) ID #(s) if Henkel employee(s))

Please categorize this training: (Check one)

- ☐ Chemical / Product Training
☐ Communication / Presentations

- ☐ Engineering / Equipment
☐ General Business Admin.

- ☐ Languages
☐ Leadership

- ☐ Personal Dev.
☐ Sales / Mktg.

- ☒ SHE & Quality
☐ Strategic Mgmt.

PARTICIPANTS	Print Full Legal Name (as it appears on paycheck)	Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1. Berdanier, Richard	QA technician		02073344	Dule	1/15/03
2. Brojakowski, Kathy S	QA technician		20101403	Dule	5/18/15
3. Dule, Daniel	Quality Manager		02073298	Surmick	1/31/00
4. Jarosh, Jonathan P	Microbiologist		20012329	SDule	7/29/09
5. Kamara, Sharon	QA technician		20120667	Dule	2/27/17
6. Kemmerer, Andrew	QA technician		20046815	Dule	2/19/13
7. Neiswender, Gary S	QA technician		02073270	Dule	11/4/96
8. O'Donnell, Patti	QA technician		02073329	Dule	10/2/90
9. Ringleben, Mary	QA Admin.		02073295	Dule	11/1/99
10. Strohl, Stephanie S	QA technician		02073357	Dule	7/1/03

Does this training require renewal? ☒ Y ☐ N Renewal Date: 2018 Special Instructions for data entry:

Submit an electronic copy to HRDirect (via the portal) or fax a copy to HRDirect at 632-859-1680.



Training Attendance Record

Use if additional pages are needed.

Course Title: _____

(Please use the same title each time this class is delivered)

CEUs: _____

(If applicable)

Date(s): _____

Start Time(s): _____

End Time(s): _____

Total hours: _____

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
Print Full Legal Name (as it appears on paycheck)					
1. Surmick, Janine M	SHEQ Manager		02073257	Babula, J	3/25/96
2. Thomas, Mary E	QA technician		02073199	Dule	3/2/88
3. Wenner, Morgan S	QA technician		20089721	Dule	10/20/14
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☐ Off-site

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(Name of training company)

Henkel Contact:

Tuition:

(Vendor address / location - if known)

Vendor Invoice /
Material Cost

Trainer's
Transp. Cost:

(Name of Henkel person organizing training)

(Indicate if total or per person cost)

(if known)

Instructor(s): Tony Swetz and Dan Dule

Method of Delivery:

☒ Classroom

☐ Virtual

(Include Global (employee) ID #(s) if Henkel employee(s))

Please categorize this training: (Check one)

☐ Chemical / Product Training

☐ Engineering / Equipment

☐ HR & Legal

☐ Languages

☐ Personal Dev.

☒ SHE & Quality

☐ Communication / Presentations

☐ General Business Admin.

☐ IT / Computer

☐ Leadership

☐ Sales / Mktg.

☐ Strategic Mgmt.

PARTICIPANTS

Print Full Legal Name (as it appears on paycheck)

Signature

Global (Employee) ID
(Required)

Supervisor

Hire Date

1. Andrews, Shawn

Processing technician

02073352

Williams

4/28/03

2. Hess, Stephen L

Processing technician

02073276

Williams

10/5/98

3. Hoch, Brian

Processing technician

02073259

Williams

4/29/96

4. Kripp Jr., Michael F

Processing technician

02073288

Williams

7/26/99

5. Lashock, Thomas

Processing technician

02073224

Williams

12/19/89

6. Mott, Thomas

Processing technician

02073247

Williams

9/17/91

7. Shafer, Connie

Processing technician

02073210

Williams

7/11/88

8. Vuolo, Sandra L

Processing technician

02073239

Williams

2/22/91

9. Aliyow, Yonis

Process Engineer

20120373

Williams

2/20/17

10. Williams, Michael

Processing Manager

02073309

J. Babula

11/13/00

Does this training require renewal? ☒ Y ☐ N Renewal Date: 2018 Special Instructions for data entry:

Submit an electronic copy to HRDirect (via the portal) or fax a copy to HRDirect at 632-859-1680.



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Business Unit: B & L

Provider:

☒ Henkel ☐ Vendor

Henkel Contact:

Tuition:

(Name of training company)

(Vendor address / location - if known)

Vendor Invoice /
Material Cost

Trainer's
Transp. Cost:

(if known)

(Name of Henkel person organizing training)

(Indicate if total or per person cost)

Instructor(s):

Tony Swetz and Dan Dule

Method of Delivery:

☒ Classroom

☐ Virtual

(Include Global (employee) ID #(s) if Henkel employee(s))

Please categorize this training: (Check one)

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- ☐ Engineering / Equipment
☐ General Business Admin.

- ☐ HR & Legal
☐ IT / Computer

- ☐ Languages
☐ Leadership

- ☐ Personal Dev.
☐ Sales / Mktg.

- ☒ SHE & Quality
☐ Strategic Mgmt.

PARTICIPANTS				Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
Print Full Legal Name (as it appears on paycheck)							
1. Kaufman, William	Processing technician				02073317	Williams	7/2/01
2. Kopp, Timothy W	Processing technician				02073272	Williams	7/13/98
3. Leigh Lizbinski	Processing technician				02073363	Williams	9/29/03
4. Monigas, George J	Processing technician				02073333	Williams	6/3/02
5. Ruggiero, Marie	Processing technician				02073258	Williams	4/15/96
6. Seely, Kent W	Processing technical specialist				20034679	Williams	10/26/11
7. Stefanick, Scott D	Processing technician				20038408	Williams	3/28/12
8.							
9.							
10.							

Does this training require renewal? ☒ Y ☐ N Renewal Date: 2018 Special Instructions for data entry:

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Total hours:

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Business Unit: B & L

Provider: ☒ Henkel ☐ Vendor

Henkel Contact:

(Name of training company)

Tuition:

(Name of Henkel person organizing training)

(Chargeback cost to participant)

Instructor(s): Tony Swetz and Dan Dule

(Include Global (employee) ID # (s) if Henkel employee(s))

Please categorize this training: (Check one)

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Method of Delivery: ☒ Classroom ☐ Virtual

Vendor address / location - if known

Vendor Invoice / Material Cost

Trainer's

Transp. Cost:

(if known)

PARTICIPANTS

Print Full Legal Name (as it appears on paycheck)

Signature

Global (Employee) ID (Required)

Supervisor

Hire Date

1. Bodnar, Christopher Processing technician

Chris Bodnar

20095142

Williams

1/5/15

2. Boehmer, Marlin Processing technical specialist

Marlin Boehmer

20098860

Williams

4/29/15

3. Bradley, Mark R Processing technician

Mark Bradley

20005387

Williams

10/13/08

4. Craddock, Brian Processing technician

Brian Craddock

20086060

Williams

3/4/14

5. Johnson, Kelli Processing technician

Kelli Johnson

20118180

Williams

11/29/16

6. Mohart, James W Processing technician

James Mohart

20005390

Williams

11/13/08

7.

8.

9.

10.

Does this training require renewal? ☒ Y ☐ N Renewal Date: 2018 Special Instructions for data entry:

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West Hazleton

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Business Unit:

B & L

Provider:

☒ Henkel ☐ Vendor

(Name of training company)

Henkel Contact:

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(Vendor address / location - if known)

Vendor Invoice /
Material Cost

Trainer's
Transp. Cost:

(Name of Henkel person organizing training)

(Indicate if total or per person cost)

(if known)

Instructor(s):

Tony Swetz and Dan Dule

Method of Delivery:

☒ Classroom

☐ Virtual

(Include Global (employee) ID #(s) if Henkel employee(s))

Please categorize this training: (Check one)

☐

Chemical / Product Training

☐

Engineering / Equipment

☐

HR & Legal

☐

IT / Computer

☐

Languages

☐

Personal Dev.

☒

SHE & Quality

☐

Communication / Presentations

☐

General Business Admin.

☐

Sales / Mktg.

☐

Leadership

☐

Strategic Mgmt.

PARTICIPANTS

Print Full Legal Name (as it appears on paycheck)

Signature

Global (Employee) ID
(Required)

Supervisor

Hire Date

1. Longazel, Gregory Facilities specialist

02073216

Sweeney

1/23/89

2. Swetz, Anthony Environmental Coordinator

02073268

Sweeney

7/8/96

3. Trubilla, John M Facilities specialist

02073221

Sweeney

5/1/89

4.

5.

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7.

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Does this training require renewal? ☒ Y ☐ N Renewal Date: 2018 Special Instructions for data entry:

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(Henkel)

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☒ Henkel ☐ Vendor

(Name of training company)

(Vendor address / location - if known)

Henkel Contact:

Tuition:

Vendor Invoice /
Material Cost

Trainer's

(Name of Henkel person organizing training)

(Indicate if total or per person cost)

Trainer's
Transp. Cost:

(if known)

Instructor(s):

Tony Swetz and Dan Dule

Method of Delivery:











☒ Classroom

☐ Virtual

(Include Global (employee) ID #(s) if Henkel employee(s))

Please categorize this training: (Check one)

- ☐ Chemical / Product Training ☐ Engineering / Equipment ☐ HR & Legal ☐ Languages ☐ Personal Dev. ☒ SHE & Quality
☐ Communication / Presentations ☐ General Business Admin. ☐ IT / Computer ☐ Leadership ☐ Sales / Mktg. ☐ Strategic Mgmt.

PARTICIPANTS Print Full Legal Name (as it appears on paycheck)	Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1. Ansbach, Michael Maintenance Manager		20081364	Balula, J	8/26/13
2. Babula, James Operations Manager Beauty Care / Laundry Care		20026500	Newton	1/31/11
3. Dule, Daniel P Quality Manager		02073298	Surmick	1/31/00
4. Gestl III, Frederick F Manager SHE Beauty and Laundry		02073387	Surmick	6/5/06
5. Howard, Mark Continuous Improvement Total Productive Maintenance (TPM plus)		02073426	Balula, J	6/26/96
6. Jarosh, Jonathan P Microbiologist		20012329	Surmick	7/29/09
7. Kelly, Kristin Team Manager Packaging		20110652	Balula, J	5/32/16
8. Solarek, Gerald Continuous Improvement Manager		20122844	Howard	5/8/17
9. Ledoux, Starla J Team Manager Packaging		20038467	Balula, J	4/9/12
10. Shipton, Lawrence E Manager Materials and Logistics Operations		02073393	Babula, J	9/5/06

Does this training require renewal? ☒ Y ☐ N Renewal Date: 2018 Special Instructions for data entry:

Submit an electronic copy to HRDirect (via the portal) or fax a copy to HRDirect at 632-859-1680.

Training Attendance R

- Cover Page



Training Attendance Record

Use if additional pages are needed.

Course Title: _____

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Date(s): _____

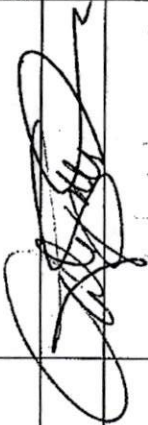
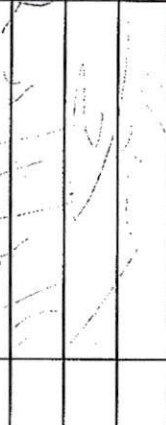
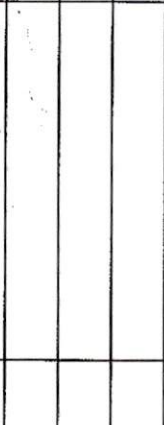
Start Time(s): _____

End Time(s): _____

CEUs: _____

(If applicable)

Total hours: _____

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
Print Full Legal Name (as it appears on paycheck)					
1.	Surmick, Janine M SHEQ Manager		02073257	Balula, J	3/25/96
2.	Sweeney Jr., Christopher J Engineering Manager		02073250	Balula, J	1/27/92
3.	Taber, Kevin Area Manager Packaging		20124242	Babula, J	6/26/17
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Training Attendance Record

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Total hours:

Location: ☒ Henkel facility West Hazleton

☐ Off-site

Business Unit: B & L

Provider: ☒ Henkel ☐ Vendor

Henkel Contact:

(Name of training company)

Tuition:

(Name of Henkel person organizing training)

Vendor Invoice / Material Cost

Trainer's

Transp. Cost:

(if known)

Instructor(s): Tony Swetz and Dan Dule

(Include Global (employee) ID #(s) if Henkel employee(s))

Please categorize this training: (Check one)

- ☐ Chemical / Product Training
☐ Communication / Presentations

- ☐ Engineering / Equipment
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- ☐ HR & Legal
☐ IT / Computer

- ☐ Languages
☐ Leadership

- ☐ Personal Dev.
☐ Sales / Mktg.

- ☒ SHE & Quality
☐ Strategic Mgmt.

Method of Delivery:

☒ Classroom

☐ Virtual

PARTICIPANTS

Print Full Legal Name (as it appears on paycheck)

Signature

Global (Employee) ID (Required)

Supervisor

Hire Date

1. <u>AMY E. CATINO</u>	<u>[Signature]</u>	<u>02073285</u>	<u>Sweeney</u>	<u>3/2004</u>
2. Catino, Amy E Scheduling / Material Planning		20036379	Shipton	2/13/12
3. Gaydosck, James E GSCI SAP MD/MM	<u>[Signature]</u>	02073285	Shipton	7/26/99
4. <u>PAUL BLUMER</u>	<u>[Signature]</u>		<u>Sweeney</u>	<u>2/27/89</u>
5. Hunsinger, Cory A Human Resources Manager	<u>Cyler</u>	20033637	<u>Clark</u>	9/12/11
6. McKinley, Rosemarie C Admin. Assistant / Payroll	<u>Rosemarie McKinley</u>	02073253	Hunsinger	8/16/93
7. Paris, William E Programmer Analyst Sr.	<u>[Signature]</u>	02073308	Sweeney	9/28/00
8. Slusser, Bridget M Finance Manager	<u>[Signature]</u>	20034734	Babula, F	11/7/11
9. Willis, Leanne E Employee Relations Manager	<u>Leanne Willis</u>	02072364	Hunsinger	3/11/96
10. <u>Taber, Kevin</u>	<u>[Signature]</u>			

Does this training require renewal? ☒ Y ☐ N Renewal Date: 2018

Special Instructions for data entry:

Training Attendance R

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Course Title: _____

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CEUs: _____

(If applicable)

Date(s): _____

Start Time(s): _____

End Time(s): _____

Total hours: _____

PARTICIPANTS		Signature	Global (Employee) ID (Required)	Supervisor	Hire Date
1.	Stan Sheller			Sweeney	
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RECEIVED

BEFORE THE UNITED STATES 2017 DEC 20 AM 9:06
ENVIRONMENTAL PROTECTION AGENCY
REGION III

REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

In the Matter of:

Dial Corporation
125 Jaycee Drive
West Hazleton, PA 18201

Respondent

Docket No. RCRA-03-2018-0016

CONSENT AGREEMENT

125 Jaycee Drive
West Hazleton, PA 18201

Facility

Proceeding under RCRA Section
3008(a)(1) and (g), 42 U.S.C.
§ 6928(a)(1) and (g)

CONSENT AGREEMENT

I. PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Land and Chemicals Division, U.S. Environmental Protection Agency, Region III ("Complainant"), and Dial Corporation ("Respondent"), pursuant to Section 3008(a)(1) and (g) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(a)(1) and (g), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22.
2. The Consolidated Rules of Practice, 40 C.F.R. § 22.13(b), provide in pertinent part that, where the parties agree to settlement of one or more causes of action before the filing of a complaint, a proceeding simultaneously may be commenced and concluded by the issuance of a Consent Agreement and Final Order pursuant to 40 C.F.R. § 22.18(b)(2) and (3). Pursuant thereto, this Consent Agreement and the accompanying Final Order (collectively referred to herein as the "CAFO"), simultaneously commences and concludes this administrative proceeding against Respondent Dial Corporation.
3. This CAFO addresses Respondent's violations of RCRA Subtitle C, 42 U.S.C. §§ 6921-

6939f, various regulations promulgated thereunder as set forth at 40 C.F.R. Parts 260-266, 268, and 270-73, and the authorized Pennsylvania Hazardous Waste Management Regulations, 25 Pa. Code Sections 260a - 266a, 266b, and 268a - 273a ("PaHWMR") that occurred at the Respondent's facility located at 125 Jaycee Drive, West Hazleton, Pennsylvania 18201 ("Facility").

4. The Commonwealth of Pennsylvania has received federal authorization to administer a Hazardous Waste Management Program (the "Pennsylvania Hazardous Waste Management Program") in lieu of the federal hazardous waste management program established under RCRA Subtitle C, 42 U.S.C. §§ 6921-6939f. Effective January 30, 1986, the Commonwealth of Pennsylvania Hazardous Waste Management Regulations ("PaHWMR") were authorized by the U.S. Environmental Protection Agency ("EPA") pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), and 40 C.F.R. Part 271, Subpart A. The PaHWMR subsequently were revised, and thereafter re-authorized by EPA, on September 26, 2000, January 20, 2004, and April 29, 2009. Such authorized revised PaHWMR requirements and provisions became effective on November 27, 2000, March 22, 2004, and June 29, 2009, respectively. The PaHWMR incorporate, with certain exceptions, federal hazardous waste management regulations that were in effect as of May 1, 1999 (and as of July 6, 1999 for certain regulations regarding Universal Waste) for the November 27, 2000 PaHWMR authorization, June 28, 2001 for the March 22, 2004 PaHWMR authorization, and October 12, 2005 for the April 29, 2009 PaHWMR authorization. The provisions of Pennsylvania's current authorized PaHWMR, codified at 25 Pa. Code Chapters 260a-266a, 266b, and 268a-270a, have thereby become requirements of RCRA Subtitle C and are enforceable by EPA pursuant to RCRA Section 3008(a) of RCRA, 42 U.S.C. § 6928(a).
5. Upon making a determination that any person has violated or is in violation of any requirement of RCRA Subtitle C and satisfying the notification requirements of RCRA Section 3008(a)(2), 42 U.S.C. § 6928(a)(2), Section 3008(a)(1) of RCRA, 42 U.S.C. § 6928(a)(1), authorizes the Administrator of EPA to issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both.
6. Respondent is, hereby, notified of EPA's determination that Respondent has violated RCRA Subtitle C, 42 U.S.C. §§ 6921-6939e, the regulations promulgated thereunder at 40 C.F.R. Parts 260-266, 268, and 270-73, and the PaHWMR.
7. EPA has given the Commonwealth of Pennsylvania, through the Pennsylvania Department of Environmental Protection ("PADEP"), prior notice of the commencement of this civil proceeding in accordance with RCRA Section 3008(a)(2), 42 U.S.C. § 6928(a)(2).

II. GENERAL PROVISIONS

8. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this CAFO.
9. Except as provided in Paragraph 8, above, Respondent neither admits nor denies the specific

factual allegations and legal conclusions set forth in this CAFO.

10. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this CAFO.
11. For purposes of this proceeding only, Respondent hereby expressly waives its right to a hearing on any issue of law or fact in this matter, consents to the issuance of this CAFO without adjudication, and waives its right to appeal the accompanying Final Order.
12. Respondent consents to the issuance of this CAFO and agrees to comply with its terms and conditions.
13. Respondent and Complainant shall bear their own costs and attorney's fees in connection with this proceeding.

III. EPA FINDINGS OF FACT AND CONCLUSIONS OF LAW

14. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges the following findings of fact and conclusions of law.
15. Respondent is a Delaware corporation doing business in, and with offices and an operating facility located within, the Commonwealth of Pennsylvania, and is a "person" within the meaning of RCRA Section 1004(15), 42 U.S.C. § 6903(15), 40 C.F.R. § 260.10, and 25 Pa. Code Section 260a.10.
16. Respondent is and has been, at all times relevant to this CAFO, the owner and operator of a facility, located at 125 Jaycee Drive in West Hazleton, Pennsylvania (the "Facility"), where the Respondent manufactures antibacterial soap and laundry detergent.
17. On May 17, 2016, a duly authorized representative of EPA conducted a compliance evaluation inspection ("CEI") of the Facility to assess the Respondent's compliance with the requirements of RCRA Subtitle C, 42 U.S.C. §§ 6921-6939f, the federal regulations promulgated thereunder, and the PaHWMR requirements at the Facility.
18. On May 4, 2017, EPA issued a request to show cause letter to Respondent advising it of EPA's findings in regards to potential violations of the requirements of RCRA Subtitle C, 42 U.S.C. §§ 6921-6939f, the federal regulations promulgated thereunder, and the PaHWMR requirements at the Facility, and offering the Respondent an opportunity to provide such additional information as it believed the EPA should review and consider before reaching any final conclusions as to the Respondent's compliance at the Facility. Respondent availed itself of this opportunity and provided additional information in response this request to show cause letter.

COUNT I

(Operating a Hazardous Waste Storage Facility Without a Permit)

19. The allegations of Paragraphs 1 through 18 of this Consent Agreement are incorporated herein by reference as though fully set forth at length.
20. RCRA Section 3005(a) and (e), 42 U.S.C. Section 6925(a) and (e), and 25 Pa. Code § 270a.1, which incorporates by reference 40 C.F.R. Part 270, provide, in pertinent part, that a person owning and/or operating a facility used for the treatment, storage or disposal of hazardous waste is required to comply with the permitting requirements established by EPA or by a state with an authorized hazardous waste management program, or have interim status for such facility.
21. At all times relevant to this Consent Agreement, Respondent generated at the Facility "hazardous waste," as that term is defined by RCRA Section 1004(5), 42 U.S.C. § 6903(5), and 40 C.F.R. §§ 260.10 and 261.3, as incorporated by reference by 25 Pa. Code Sections 260a.1 and 261a.1. See also 25 Pa Code Section 261a.3.
22. The Facility was assigned the EPA Identification Number PAD987271012.
23. At all times relevant to this Consent Agreement, Respondent was a "generator" of "solid waste" and "hazardous waste" at the Facility as those terms are defined by 40 C.F.R. § 260.10, as incorporated by reference by 25 Pa. Code Section 260a.1.
24. At all times relevant to this Consent Agreement, hazardous waste was in "storage" in containers at Respondent's "facility" as those terms are defined by RCRA Section 1004(33), 42 U.S.C. § 6903(33), and 40 C.F.R. § 260.10, as incorporated by reference by 25 Pa. Code Section 260a.1, and 25 Pa. Code Section 260a.10.
25. At all times relevant to this Consent Agreement, Respondent was the "owner" and "operator" of a hazardous waste storage facility as those terms are defined by 40 C.F.R. § 260.10, as incorporated by reference by 25 Pa. Code Section 260a.1.
26. A "container" is defined to mean "any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled." 40 C.F.R. § 260.10, as incorporated by reference by 25 Pa. Code Section 260a.1.
27. At all times relevant to this Consent Agreement, Respondent never possessed a permit or interim status authorizing the treatment, storage or disposal of hazardous waste at the Facility.
28. 40 C.F.R. § 262.34(a), which is incorporated by reference by 25 Pa. Code § 262a.10, provides, in pertinent part, that a generator of hazardous waste may accumulate hazardous waste on-site for 90 days or less without a permit or interim status, provided the generator complies with a number of conditions concerning the management of the hazardous waste,

including, but not limited to:

- A. 40 C.F.R. § 262.34(a) incorporates by reference the Contingency Plan requirements of 40 C.F.R. §§ 265.53(b), which requires each facility to submit a copy of the Contingency Plan to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services; and
 - B. 40 C.F.R. § 262.34(a) incorporates by reference the management of container requirements of 40 C.F.R. § 265.173(a), which requires that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste;
29. On August 30, 2015, the Facility's Contingency Plan had not been submitted to local authorities.
30. At the time of the May 17, 2016 CEI, Dial Corporation was accumulating D001 and D003 hazardous waste aerosol cans in an open plastic container in its packaging area and in an open plastic container near the hazardous waste accumulation area. Dial Corporation was not adding or removing waste from these containers at the time of the inspection and therefore, failed to properly manage these two containers of hazardous waste.
31. By storing hazardous waste more than 90 days, specifically two drums of D001 and F003 hazardous waste stored on-site from April 26, 2013 to August 5, 2013 (102 days), Respondent failed to satisfy the exemption condition set forth in 40 C.F.R. § 262.34(a).
32. By storing hazardous waste more than 90 days, specifically two drums of D001 and F003 hazardous waste stored on-site from June 18, 2014 to September 18, 2014 (92 days), Respondent failed to satisfy the exemption condition set forth in 40 C.F.R. § 262.34(a).
33. By storing hazardous waste more than 90 days, specifically two drums of D001, D022 and F003 hazardous waste stored on-site from September 19, 2014 to December 23, 2014 (95 days), Respondent failed to satisfy the exemption condition set forth in 40 C.F.R. § 262.34(a).
34. By storing hazardous waste more than 90 days, specifically two drums of D001, D002, D022 and F003 hazardous waste drums stored on-site from February 20, 2015 to June 1, 2015 (102 days), Respondent failed to satisfy the exemption condition set forth in 40 C.F.R. § 262.34(a).
35. By virtue of these actions or failures to act, Respondent failed to satisfy the exemption conditions set forth in 25 Pa. Code § 262a.10, incorporating 40 C.F.R. § 262.34(a) and (c). Respondent owned and/or operated a hazardous waste storage facility without a permit or interim status in violation of Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e), and 25 Pa. Code § 270a.1, which incorporates by reference 40 C.F.R. §

270.1., on July 25, 2013-August 5, 2013, September 17, 2014-September 18, 2014, December 19, 2014-December 23, 2014, May 21, 2015-June 1, 2015, August 30, 2015, and May 17, 2016.

36. Respondent violated RCRA Section 3005(a) and (e), 42 U.S.C. Section 6925(a) and (e), and 25 Pa. Code § 270a.1, which incorporates by reference 40 C.F.R. § 270.1(b), by owning and operating a hazardous waste storage facility without a permit or interim status.

COUNT II

(Failure to Submit Copies of the Contingency Plan)

37. The allegations of Paragraphs 1 through 36 of this Consent Agreement are incorporated by reference as though fully set forth at length.
38. 25 Pa. Code § 264a.1 incorporates by reference the Contingency Plan requirements of 40 C.F.R. §§ 264.53(b), which requires each facility to submit a copy of the Contingency Plan to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services.
39. On August 30, 2015, the Facility's Contingency Plan had not been submitted to local authorities.
40. On August 30, 2015, Respondent violated 25 Pa. Code § 264a.1, which incorporates by reference 40 C.F.R. § 264.53(b), by failing to provide a copy of the Contingency Plan to local authorities.

COUNT III

(Open Containers)

41. The allegations of Paragraphs 1 through 40 of this Consent Agreement are incorporated by reference as though fully set forth at length.
42. 25 Pa. Code § 264a.1 incorporates by reference the management of container requirements of 40 C.F.R. § 264.173(a), which requires that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.
43. At the time of the May 17, 2016 CEI, Respondent was accumulating D001 and D003 hazardous waste aerosol cans in an open plastic container in its packaging area and in an open plastic container in its hazardous waste accumulation area.
44. At the time of the May 17, 2016 CEI, Respondent had open containers of hazardous waste identified in Paragraph 43, above, at a time when it was not necessary to add or remove waste from the containers.

45. At the time of the May 17, 2016 CEI, Respondent violated 25 Pa. Code Section 264a.1, which incorporates by reference 40 C.F.R. § 264.173(a), by maintaining open containers holding hazardous waste at the Facility at a time when it was not necessary to add or remove waste from the containers.

COUNT IV

(Failure to File Biennial Report)

46. The allegations of Paragraphs 1 through 45 of this Consent Agreement are incorporated by reference as though fully set forth at length.
47. 25 Pa Code § 262a.41 provides that a generator who ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States must prepare and submit a single copy of a Biennial Report to the PADEP by March 1 of each even numbered year.
48. At the time of the May 17, 2016 CEI, Respondent had not filed the hazardous waste biennial reports due on March 1, 2014 and March 1, 2016.
49. At the time of the May 17, 2016 CEI, Respondent violated 25 Pa Code § 262a.41 by failing to submit biennial reports due on March 1, 2104 and March 1, 2016.

COUNT V

(Failure to Store Universal Waste Lamps in Closed Structurally Sound Container)

50. The allegations of Paragraphs 1 through 49 of this Consent Agreement are incorporated by reference as though fully set forth at length.
51. 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.13(d)(1), requires that a small quantity handler of universal hazardous waste, specifically, universal waste "lamps," store such lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.
52. At the time of the May 17, 2016 CEI, Respondent was storing universal waste lamps in a cardboard box that ripped open when the Facility representative moved the box to determine whether a label had been applied to the box.
53. At the time of the May 17, 2016 CEI, Respondent violated 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.13(d)(1), by failing to store universal waste lamps in a closed structurally sound container.

COUNT VI

(Failure to Label Container of Universal Waste Lamps)

54. The allegations of Paragraphs 1 through 53 of this Consent Agreement are incorporated by reference as though fully set forth at length.
55. 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.14(e), requires that each lamp, or container or package containing such lamps, must be clearly marked or labeled with one of the following phrases: "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)."
56. At the time of the May 17, 2016 CEI, Respondent was storing universal waste lamps in a container that did not have a box checked for Universal Waste Lamps on its label nor did it have any of other form of insignia to denote the storage of universal waste lamps in the container.
57. At the time of the May 17, 2016 CEI, Respondent violated 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.14(e), by failing to clearly mark or label a universal waste lamp container with one of the phases identified in Paragraph 55.

COUNT VII

(Failure to Mark or Demonstrate Accumulation Start Date for Universal Waste Batteries)

58. The allegations of Paragraphs 1 through 57 of this Consent Agreement are incorporated by reference as though fully set forth at length.
59. 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.15(c), requires that a small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date that it becomes a waste or has been received.
60. 40 C.F.R. § 273.15(c)(1) provides that the handler may make this demonstration by placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received.
61. 40 C.F.R. § 273.15(c)(2) though (6) provides that this demonstration may also be made by marking each individual item with the date that it becomes a waste, maintaining an inventory system that identifies the earliest date that items became waste, placing universal waste in specific accumulation areas that identify the earliest date that items became waste, or any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.
62. At the time of the May 17, 2016 CEI, Respondent had not marked nor was it able to identify the accumulation start date for a container of universal waste batteries.

63. At the time of the May 17, 2016 CEI, Respondent violated 25 Pa. Code § 266b.1, which incorporates by reference 40 C.F.R. § 273.15(c), by failing to demonstrate the length of time that the universal waste batteries had been accumulated from the date that the universal waste batteries became a waste.

IV. SETTLEMENT

64. In settlement of EPA's claims for civil monetary penalties assessable for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty of FORTY-FOUR THOUSAND FIVE HUNDRED AND NINETY-EIGHT DOLLARS (\$44,598.00), which Respondent agrees to pay in accordance with the payment terms set forth in Paragraph 66, below. Such civil penalty amount shall become due and payable immediately upon Respondent's receipt of a true and correct signed copy of this CAFO, fully executed by the parties, signed by the Regional Judicial Officer, and filed with the Regional Hearing Clerk. In order to avoid the assessment of interest in connection with such civil penalty as described in this CAFO, Respondent must pay the civil penalty no later than thirty (30) calendar days after the date on which a copy of this CAFO is mailed or hand-delivered to Respondent.
65. The civil penalty settlement amount set forth in Paragraph 64, immediately above, was determined after consideration of the statutory factors set forth in Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), which include the seriousness of the violation and any good faith efforts to comply with the applicable requirements. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's October, 1990 RCRA Civil Penalty Policy, as revised in June, 2003 ("RCRA Penalty Policy"), which reflect the statutory penalty criteria and factors set forth at Section 3008(a)(3) and (g) of RCRA, 42 U.S.C. §§ 6928(a)(3) and (g). Complainant has also considered the Adjustment of Civil Monetary Penalties for Inflation, 40 C.F.R. Part 19, and the July 27, 2016 Memorandum by EPA Assistant Administrator, Cynthia Giles, entitled, "Amendments to the U.S. Environmental Protection Agency's Civil Penalty Policies to Account for Inflation," (effective August 1, 2016). The settlement in this proceeding is consistent with the provisions and objectives of Section 3008 of RCRA, and its implementing regulations.
66. Payment of the civil penalty set forth in Paragraph 64, above, plus any interest, administrative fees, and late payment penalties owed, in accordance with Paragraphs 68 through 71, below, shall be made by either cashier's check, certified check, or electronic wire transfer, in the following manner:
- a. All payments by Respondent shall reference Respondent's name and address, and the Docket Number of this action, *i.e.*, RCRA-03-2018-0016;
 - b. All checks shall be made payable to the "United States Treasury;"
 - c. All payments made by check and sent by regular mail shall be addressed to:

U.S. Environmental Protection Agency
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

Primary Contact: Craig Steffen, (513) 487-2091
Secondary Contact: Molly Williams, (513) 487-2076

- d. All payments made by check and sent by overnight delivery service shall be addressed for delivery to:

U.S. Environmental Protection Agency
Cincinnati Finance Center
Government Lockbox 979077
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101

Primary Contact: Craig Steffen, (513) 487-2091
Secondary Contact: Molly Williams, (513) 487-2076

- e. All payments made by check in any currency drawn on banks with no USA branches shall be addressed for delivery to:

Cincinnati Finance
US EPA, MS-NWD
26 W ML King Drive
Cincinnati, OH 45268-0001

- f. All payments made by electronic wire transfer shall be directed to:

Federal Reserve Bank of New York
ABA: 021030004
Account Number: 68010727
SWIFT address: FRNYUS33
33 Liberty Street
New York, NY 10045

Beneficiary: US Environmental Protection Agency

- g. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US Treasury REX / Cashlink ACH Receiver
ABA: 051036706
Account Number: 310006, Environmental Protection Agency

CTX Format Transaction Code 22 - Checking

Physical location of U.S. Treasury facility:
5700 Rivertech Court
Riverdale, MD 20737

Remittance Express (REX): (866) 234-5681

h. On-Line Payment Option

<https://www.pay.gov/public/home>

Enter **sfo 1.1** in the search field. Open and complete the form.

i. Additional payment guidance is available at:

<https://www.epa.gov/financial/makepayment>

or by contacting Craig Steffen at 513-487-2091

j. Payment by Respondent shall reference Respondent's name and address, and the EPA Docket Number of this CAFO.

67. A copy of Respondent's check or a copy of Respondent's electronic fund transfer shall be sent simultaneously to:

T. Chris Minshall
Senior Assistant Regional Counsel
U.S. EPA, Region III (3RC30)
1650 Arch Street
Philadelphia, PA 19103-2029

and

Regional Hearing Clerk
U.S. EPA, Region III (3RC00)
1650 Arch Street
Philadelphia, PA 19103-2029

68. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment as specified herein shall result in the assessment of late payment charges including, interest, penalties and/or administrative costs of handling delinquent debts.

69. Interest on the civil penalty assessed in this CAFO will begin to accrue on the date that a true and correct copy of this CAFO is mailed or hand-delivered to Respondent. However, EPA will not seek to recover interest on any amount of the civil penalty that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).
70. The costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period a debt is overdue. 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of EPA's *Resources Management Directives – Case Management*, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
71. A late payment penalty of six percent per year will be assessed monthly on any portion of the civil penalty that remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). The late payment penalty on any portion of the civil penalty that remains delinquent more than ninety days shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
72. Respondent agrees not to deduct for federal tax purposes the civil monetary penalty assessed in this CAFO.

V. CERTIFICATIONS

73. Respondent certifies to Complainant by its respective representative's signature hereto, to the best of its knowledge and belief, that Respondent and the Facility currently are in compliance with all relevant provisions of the federally-authorized PaHWMR, and of RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g, for which violations are alleged in this CA.

VI. OTHER APPLICABLE LAWS

74. Nothing in this CAFO shall relieve Respondent of any duties otherwise imposed upon it by applicable federal, state, or local law and/or regulation.

VII. RESERVATION OF RIGHTS

75. This CAFO resolves only EPA's claims for civil penalties for the specific violations which are alleged in this CA. Nothing in this CAFO shall be construed as limiting the authority of EPA to undertake action against any person(s), including the Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare or the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the *Consolidated Rules of Practice*. Further, EPA reserves any rights and remedies available to it under RCRA, the

regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO following its filing with the Regional Hearing Clerk.

VIII. FULL AND FINAL SATISFACTION

76. This settlement shall constitute full and final satisfaction of all civil claims for penalties which Complainant has under RCRA Section 3008(a) and (g), 42 U.S.C. § 6928(a) and (g), for the violations alleged in this CA. Compliance with the requirements and provisions of this CAFO shall not be a defense to any action commenced at any time for any other violation of the federal laws and/or regulations administered by EPA.

IX. PARTIES BOUND

77. This CA and the accompanying FO shall apply to and be binding upon the EPA, the Respondent, Respondent's officers and directors (in their official capacity) and Respondent's successors and assigns. By his or her signature below, the person signing this CA on behalf of the Respondent acknowledges that he or she is fully authorized to enter into this CA and to bind Respondent to the terms and conditions of this CA and the accompanying FO.

X. EFFECTIVE DATE

78. The effective date of this CAFO is the date on which the FO is filed with the Regional Hearing Clerk after signature by the Regional Administrator or his designee, the Regional Judicial Officer.

XI. ENTIRE AGREEMENT

79. This CAFO constitutes the entire agreement and understanding of the parties concerning settlement of the above-captioned action and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this CAFO.

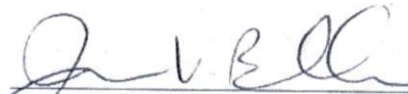
In the Matter of:
Dial Corporation

Consent Agreement
Docket No. RCRA-03-2018-0016

For Respondent:

Date: 11/16/2017

By:



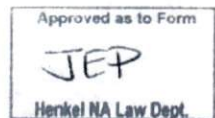
James Babula
Operations Manager
Dial Corporation

Date: 11/13/17

By:



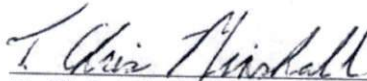
SENIOR VP, SUPPLY CHAIN NORTH AMERICA
LARS KUCKA
Dial Corporation



For Complainant:

Date: 11/27/2017

By:



T. Chris Minshall
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency, Region III

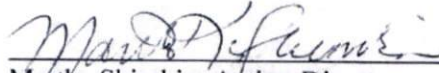
*In the Matter of:
Dial Corporation*

*Consent Agreement
Docket No. RCRA-03-2018-0016*

After reviewing the EPA Findings of Fact, Conclusions of Law and other pertinent matters, the Land and Chemicals Division of the United States Environmental Protection Agency, Region III, recommends that the Regional Administrator, or his designee, the Regional Judicial Officer, issue the attached Final Order.

Date: 12-11-2017

By:



Martha Shimkin, Acting Director
Land and Chemicals Division
U.S. Environmental Protection Agency, Region III

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III

RECEIVED

2017 DEC 20 AM 9:06

REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

In the Matter of:

Dial Corporation
125 Jaycee Drive
West Hazleton, PA 18201

Docket No. RCRA-03-2018-0016

FINAL ORDER

Respondent

125 Jaycee Drive
West Hazleton, PA 18201

Proceeding under RCRA Section
3008(a)(1) and (g), 42 U.S.C.
§ 6928(a)(1) and (g)

Facility

FINAL ORDER

Complainant, the Director of the Land and Chemicals Division, U.S. Environmental Protection Agency, Region III, and Respondent, Dial Corporation, have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

Based on the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of the statutory factors set forth in RCRA Section 3008(a)(3), 42 U.S.C. § 6928(a)(3) and EPA's RCRA Civil Penalty Policy (October 1990 and June 2003).


NOW, THEREFORE, PURSUANT TO Section 3008(a)(1) and (g) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(a)(1) and (g), and the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty of **FORTY-FOUR THOUSAND FIVE HUNDRED AND NINETY-EIGHT DOLLARS (\$44,598.00)**, plus any applicable interest, as specified in the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

In the Matter of:
Dial Corporation

Consent Agreement
Docket No. RCRA-03-2018-0016

The effective date of the foregoing Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

Date: Dec. 19, 2017



Joseph J. Lisa
Regional Judicial Officer
U.S. Environmental Protection Agency, Region III

RECEIVED

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103

2017 DEC 20 AM 9:06
REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

In Re:

Dial Corporation
125 Jaycee Drive
West Hazleton, PA 18201

Docket No. RCRA-03-2018-0016

RESPONDENT.

Dial Corporation
125 Jaycee Drive
West Hazleton, PA 18201

Proceeding under Section 3008(a) and
(g) of the Resource Conservation and
Recovery Act, as amended, 42 U.S.C.
Section 6928(a) and (g)

FACILITY.

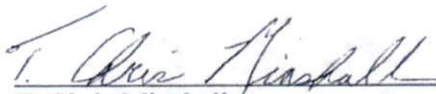
CERTIFICATE OF SERVICE

I certify that I sent a copy of the Consent Agreement and Final Order in the above-captioned matter to the addressee in the manner listed below. The original and one copy of the Complaint were hand-delivered to the Regional Hearing Clerk, U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

Via UPS, next day delivery to:

David A. Rockman
Eckert Seamans Cherin & Mellott, LLC
U.S. Steel Tower
600 Grant Street, 44th Floor
Pittsburgh, PA 15219

Date: 12/20/17


T. Chris Minshall
Sr. Assistant Regional Counsel
U.S. Environmental Protection Agency, Region III

A. CASE AND FACILITY BACKGROUND

1. Regional Hearing Clerk Docket Number RCRA-03-2018-0016

2. Respondent(s) or Defendant(s) (Enforcement Action) Name Dial Corporation

3. Facility Name(s) Dial Corporation / Henkel Consumer Goods Inc.

(a) RCRA Info (Subtitle C) programmatic ID: PAD987271012

Do not complete fields mark with a *, if the Settlement Action Type is one of the following:

- ☐ CAFO
- ☐ Consent Decree or Court Order Resolving a Civil Judicial Action Lodged
- ☐ Consent Decree or Court Order Resolving a Civil Judicial Action Entered
- ☐ Enforceable Final Order Activity Producing Results
- ☐ Non-Lead Participants in Multi-Regional Case

4. Facility Address: (No P.O. Box) Street*: 125 Jaycee Drive City*: West Hazleton County*: Luzerne St*: PA Zip*: 18201

(a) Latitude*: 40.972585 Longitude*: -76.018384

(b) Horizontal Collection Method*: Address matching-house number

Reference Point*: Facility/Station Building entrance or street address

Primary 6-Digit NAIC Code(s)*: 325611

(c) Federal Facility? * (Yes or No) if Yes, √ option(s) below:

() Federal Facility Activity () No Federal Facility Involvement () Non-Federal Party Impacting Federal Property

(d) Federal Facility Activity Comment*: _____

5. Is this an amendment? Circle one: Yes / No

6. (a) EPA Lead Attorney C. Minshall (3RC30) (b) EPA Technical Contact R. Serfass (3LC32)

7. Does this settlement involve the Next Generation Compliance Tool? If yes, check the box. ☐

If box is check, complete the Comment field below:

8. Enforcement Action Type – (section of statute that authorizes pursuit of penalty and/or injunctive relief) (select one):

- | | |
|---|--|
| <input checked="" type="checkbox"/> RCRA 3008A (AO for Compliance and/or Penalty - Hazardous Waste) | <input type="checkbox"/> RCRA 7003 (AO for Imminent Hazard) |
| <input type="checkbox"/> RCRA 3008H (AO for Corrective Action) | <input type="checkbox"/> RCRA 9006 (AO for Compliance and/or Penalty - UST) |
| <input type="checkbox"/> RCRA 3013 (AO for Compliance) | <input type="checkbox"/> RCRA 9006 UST-ACO or APO-Expedited Settlement Agreement |
| <input type="checkbox"/> RCRA 7003 (AO for Imminent Hazard) | <input type="checkbox"/> RCRA 9006 UST -ACO or APO-Field Citation |
| <input type="checkbox"/> RCRA 9012 AO for Delivery Prohibition - UST | |

9. Law(s), Section(s) and Subsection(s) violated (check all that apply):

- | | |
|--|---|
| <input checked="" type="checkbox"/> RCRA 3002 (HW Standards for Generators) LQG | <input type="checkbox"/> RCRA 3008C (Violation of Compliance Order) |
| <input type="checkbox"/> RCRA 3002 (HW Standards for Generators) SQG | <input type="checkbox"/> RCRA 3008H (Interim Status Corrective Action Order) |
| <input type="checkbox"/> RCRA 3002 (HW Standards for Generators) CESQG | <input type="checkbox"/> RCRA 3013 (Monitoring, Analysis, Testing) – Corrective actions |
| <input type="checkbox"/> RCRA 3003 (HW Standards for Transporters) - Transporter Req. | <input type="checkbox"/> RCRA 3013 (Monitoring, Analysis, Testing) – Generator |
| <input type="checkbox"/> RCRA 3003 (HW Standards for Transporters) - Transfer Station | <input type="checkbox"/> RCRA 3013 (Monitoring, Analysis, Testing) – TSD facility |
| <input type="checkbox"/> RCRA 3004 (HW Standard for Treatment/Storage/Disposal) | <input type="checkbox"/> RCRA 3013 (Monitoring, Analysis, Testing) – Transporter |
| <input type="checkbox"/> RCRA 3004VU (TSD Corrective Action) | <input type="checkbox"/> RCRA 3014 (Restrictions on Recycled Oil) |
| <input type="checkbox"/> RCRA 3007 (HW Information Gathering) | <input type="checkbox"/> RCRA 3017 (Export of Hazardous Waste) |
| <input type="checkbox"/> RCRA 9002 UST Notice Req.-Corrective Action Petroleum | <input type="checkbox"/> RCRA 9003 (UST Release Detection, Prevention, Correction Regulations) Regulatory Petroleum |
| <input type="checkbox"/> RCRA 9002 UST Notice Req.-Hazardous Substance | <input type="checkbox"/> RCRA 9005 (UST Information Gathering) |
| <input type="checkbox"/> RCRA 9002 UST Notice Req.-Regulatory Hazardous Substance | <input type="checkbox"/> RCRA 9006(d)(2)(E) UST Delivery Prohibition - Regulatory Petrol. |
| <input type="checkbox"/> RCRA 9002 UST Notice Req.-Regulatory Petroleum | <input type="checkbox"/> RCRA 7003 Imminent Order. Solid or HW- Corrective Action |
| <input type="checkbox"/> RCRA 9003 (UST Release Detection, Prevention, Correction Regulations) Corrective action hazardous substance | <input type="checkbox"/> RCRA 7003 Imminent Order. Solid or HW- Order for HW |
| <input type="checkbox"/> RCRA 9003 (UST Release Detection, Prevention, Correction | <input type="checkbox"/> RCRA 7003 Imminent Order. Solid or HW- Order for Solid Waste |

Regulations) Corrective waste petroleum

10. Settlement Action Type and Date (select one):

(a) 40 CFR Part 22 settlement:

i. ☐ Final Administrative Penalty Order

(date clocked in with Regional Hearing Clerk)

ii. ☒ SuperFAPO (under 40 CRF Sec. 22.13 (b) authority)

12/20/17 (date clocked in with Regional Hearing Clerk)

(b) ☐ Administrative Orders or Administrative Compliance Orders

(date signed by DD or RA)

(c) ☐ Consent Decree or Court Order Resolving a Civil Judicial Action Lodged

(date lodged by the Court)

(d) ☐ Consent Decree or Court Order Resolving a Civil Judicial Action Entered

(date filed/entered by the Court)

(e) ☐ Judicial Order Amending or Enforcing Consent Decree

(date filed/entered by the Court)

(f) ☐ Non-Lead Participant in Multi-Regional Case

(date filed/entered by the Court or RJO)

11. List names of all Respondent(s)/Defendant(s). List the names, if different, of the facilities where the violation(s) occurred. Attach additional sheets as necessary.

Dial Corporation

12. THIS SECTION NOT BEING UTILIZED.

• IMPORTANT: CASES ENFORCING EXPORT RELATED REQUIREMENTS (TSCA 12, RCRA, ETC.) WHERE NO MATERIAL IS BEING STORED OR HELD IN THE U.S. AND NOTICE OF DETERMINATIONS (NODS) ARE EXEMPT FROM AN EJS SCREEN ASSESSMENT.

Was the EJS SCREEN assessment performed previously by Matthew Lee, e.g., case initiation form? ☒ **Forward Matt Lee's EJS SCREEN narrative.**

13. EJS SCREEN Flag National: ☐ Yes ☒ No

EJS SCREEN Flag State: ☐ Yes ☒ No

Enhanced Review for Potential EJ Concerns:

☐ Enhanced Review – Potential EJ Concern Found

☐ Enhanced Review – Potential EJ Concern Not Found

☒ No Enhanced Review

Basis of EJ Determination (Select all that apply):

☐ Community Self-Identification

☐ Other basis (Please Explain)

☒ EJS SCREEN data

☒ Other Federal Government knowledge of community/location

☐ EPA knowledge of community/location (including inspector observation)

☐ Public Input

☐ State/Local/Tribal Government knowledge of community/location

Explanation of Basis:

If EJ Assessment has not been conducted, OECEJ can provide this information for you. Please contact Matthew Lee at 4-2917.

AUDIT POLICY APPLIED? Yes or No, if Yes, Disclosure Date: / /

14. Was Alternative Dispute Resolution used in this action? Circle one: Yes / No

B. OECA CORE PROGRAM Circle one: Yes / No If "No", one of the priorities below in blocks C or D must be "Yes"

C. NATIONAL ENFORCEMENT PRIORITY Circle one: Yes / No If Yes, check option(s) below:

☐ RCRA/Air - Basic Chem Mfg

☐ RCRA/Air - Other

☐ RCRA/Air - TSD

☐ Energy Extraction (land-based gas extraction and production)

D. REGIONAL PRIORITY Circle one: Yes / No If Yes, check option(s) below:

☐ Chesapeake Bay Air Shed

☐ Healthy Waters

☐ Chesapeake Bay Watershed

☐ Integrated Strategies

☐ Direct Implementation

☐ SDWA MCL Exceedance

☐ Federal Facilities in Chesapeake Bay Watershed

E. VIOLATION DESCRIPTION(s) (Check all that apply)

- ☒ Container requirements
☒ Labeling/marketing requirements
☐ Discharge, emission or activity without required permit
☐ RCRA Treatment facility requirements
☐ Manifesting - no manifests or manifest errors
☐ RCRA Misidentified waste
☐ Handler notification
☐ Land disposal and treatment
☐ Export violation
☐ Import violation
☐ RCRA Permit evader
☐ Bevill enforcement case
☐ RCRA K061 Initiative
☐ Violation of financial responsibility requirements
☐ Violation of Information Request Letter requirements
☒ Record keeping violations
☐ UST leak detection and repair
☐ UST Requirements, other than leak detection and repair
☐ Other/miscellaneous

See https://usepa.sharepoint.com/sites/R3_Community/Managers/EnfComm, select FY2017 CCDS forms, and select Violation Type Listing for more choices, if needed

F. POLLUTANT DESCRIPTION(s) (check all that apply)

- ☒ 6614 Hazardous waste
☐ 7659 Petroleum product

See https://usepa.sharepoint.com/sites/R3_Community/Managers/EnfComm, select FY2017 CCDS forms, and select Pollutant Listing for more choices, if needed

G. RELIEF SOUGHT: (✓ appropriate option(s)) ☒ Penalty ☐ Injunctive

H. CFR CITATION(s): 40 CFR 262.34 40 CFR 262.41 40 CFR 265.53 40 CFR 265.173 40 CFR 273.13 40 CFR 273.14 40 CFR 273.15

I. Enforcement Case Summary for Public Distribution: DO NOT INCLUDE ENFORCEMENT CONFIDENTIAL, POTENTIALLY FOIA-EXEMPT INFORMATION. (A summary of the violation(s), environmental problem(s), and a description of the cause(s) of action/basis of legal action). All information in this section will eventually be made available to the public. Forward electronic version of salient or Weekly Activity Report (WAR) item.

See Attachment

J. If this case meets the Big Case Projection definition, ☒ ☐. To review the definition, please access OECEJ's intranet, select Case Development, then Big Case Projection Form.

K. PENALTY (if there is no penalty, enter 0)

15. Cash Civil Penalty Amount Sought: \$ 44,598.00
16. Cash Civil Penalty Amount Required by Statute: \$ N/A
Penalty Assessed to be Paid to:
a) EPA: \$ 44,598.00
b) Is Another Federal Agency as co-plaintiff? (Yes or No), if yes, Name of other Federal Agency: _____
Amount assessed by other Federal Agency: \$ N/A
c) State/Local Agency: \$ N/A

17. THIS SECTION NOT BEING UTILIZED

L. 18. THIS SECTION NOT BEING UTILIZED

M. INJUNCTIVE RELIEF/COMPLIANCE ACTIONS (Non-SEP)

19. What action did Respondent/Defendant take prior to receipt of settlement/order or will take to return to compliance or meet addl. requirements (other than what has already been reported on the Inspection Conclusion Data Sheet (ICDS))? The Region can take credit for pollutant reductions which result from the Agency's enforcement even though the action being reported on this form does not specifically require such reductions. Where

separate penalty and/or compliance orders are issued regarding same violation(s), report the following information for only one of those orders.
Select response(s) from the following:

Removal and Restoration - Applies to cases in which a pollution release has already occurred and will require treatment/restoration, removal and/or mitigation as part of clean-up efforts.

(Check all that apply/add pollutant for each)	Pollutant	Quantitative Environmental Amount	Impact Unit	Impacted Media
<input type="checkbox"/> In-situ Treatment	<input type="checkbox"/> Haz Waste	_____	<input type="checkbox"/> Yards ³	<input type="checkbox"/> Land
<input type="checkbox"/> Ex-situ Treatment	<input type="checkbox"/> Gasoline	_____	<input type="checkbox"/> Pounds	<input type="checkbox"/> Soil
<input type="checkbox"/> Removal of Contaminated Media	<input type="checkbox"/> Used Oil	_____		
<input type="checkbox"/> Removal of Released Pollutants	<input type="checkbox"/> Contam. Soil	_____		

Reduction of On-going Releases - Applies to cases that produce environmental benefits from a complying action that reduces or eliminates an on-going discharge, emission, or release of pollutants to the environment.

(Check all that apply/add pollutant for each)	Pollutant	Quantitative Environmental Annual Amount	Impact Unit	Impacted Media
<input type="checkbox"/> Disposal Change (non-HW)	<input type="checkbox"/> Haz Waste	_____	<input type="checkbox"/> Yards ³	<input type="checkbox"/> Land
<input type="checkbox"/> HW Disposal Change	<input type="checkbox"/> Gasoline	_____	<input type="checkbox"/> Pounds	<input type="checkbox"/> Soil
<input type="checkbox"/> HW Storage Change	<input type="checkbox"/> Used Oil	_____	<input type="checkbox"/> Gallons	
<input type="checkbox"/> HW Treatment	Other: _____	_____		
<input type="checkbox"/> HW Use Reduction	_____	_____		
<input type="checkbox"/> HW Waste Containment	_____	_____		
<input type="checkbox"/> Storage Change (non-HW)	_____	_____		
<input type="checkbox"/> Treatment (non-HW)	_____	_____		
<input type="checkbox"/> Use Reduction (non-HW)				
<input type="checkbox"/> UST Tank Removal				
<input type="checkbox"/> UST Tank Repair				
<input type="checkbox"/> UST Tank Storage Change				
<input type="checkbox"/> Waste Containment (non-HW)				

Prevention of Future Releases - Applies to cases that produce environmental benefits from a complying action that prevents release of pollutants to the environment.

(Check all that apply/add pollutant for each)	Pollutant	Quantitative Environmental Annual Amount	Impact Unit	Impacted Media
<input type="checkbox"/> Proper Waste Containment	<input checked="" type="checkbox"/> Haz Waste	2,800	<input type="checkbox"/> Yards ³	<input checked="" type="checkbox"/> Land
<input type="checkbox"/> Proper Waste Disposal	<input type="checkbox"/> Gasoline	_____	<input checked="" type="checkbox"/> Pounds	<input type="checkbox"/> Soil
<input type="checkbox"/> Proper Waste Export	<input type="checkbox"/> Used Oil	_____	<input type="checkbox"/> Gallons	
<input checked="" type="checkbox"/> Proper Waste Storage	Other: _____	_____		
<input type="checkbox"/> Proper Waste Treatment	_____	_____		
<input type="checkbox"/> UST Implementation of CP	_____	_____		
<input type="checkbox"/> UST Implementation of RD	_____	_____		
<input type="checkbox"/> UST Implementation of Spill/overfill				
<input type="checkbox"/> UST Secondary Containment				
<input type="checkbox"/> UST Tank Closure				

Work Practices (check all that apply)

<input type="checkbox"/> Financial Responsibility Requirements	<input checked="" type="checkbox"/> Labeling-Identification	<input checked="" type="checkbox"/> Record Keeping	<input checked="" type="checkbox"/> Work Practices
<input type="checkbox"/> HW Identification	<input type="checkbox"/> Manifesting	<input checked="" type="checkbox"/> Reporting	
<input type="checkbox"/> Institutional Controls	<input type="checkbox"/> Monitoring	<input type="checkbox"/> Testing/Sampling	
<input type="checkbox"/> Information Letter Response	<input type="checkbox"/> Notification	<input type="checkbox"/> Training	

(No Quantitative Environmental Impact required for this section.)

PRIORITY: If applicable, indicate the priority and allocate the cost of Complying Action/Inj. Relief to appropriate priority (ies) listed below:

OECA CORE PROGRAM: \$ 7,500

NATIONAL PRIORITY/AMOUNT: \$

REGIONAL PRIORITY/AMOUNT: \$

N. SUPPLEMENTAL ENVIRONMENTAL PROJECT (SEP) INFORMATION Circle one: Yes / No If Yes, check option(s) below:

20. Categories of SEP(s) (Check all appropriate categories)

Cost (Project Model calculation cost is preferred)

- ☐ (a) Public Health
- ☐ (b) Pollution Prevention (Complete Q. 23)
 - ☐ (1) equipment/technology modifications
 - ☐ (2) process/procedure modification
 - ☐ (3) product reformulation/redesign
 - ☐ (4) raw materials substitution
 - ☐ (5) improved housekeeping/O&M/training/inventory-control
 - ☐ (6) in-process recycling
 - ☐ (7) energy efficiency/conservation
- ☐ (c) Pollution Reduction (Complete Q. 23)
- ☐ (d) Environmental Restoration and Protection
- ☐ (e) Assessments and Audits
- ☐ (f) Environmental Compliance Promotion
- ☐ (g) Emergency Planning and Preparedness
- ☐ (h) Other Program SEP category (specify) _____

21. SEP description _____

22. Is Environmental Justice addressed by impact of SEP? Circle one: Yes ☒ No

23. SEP Quantitative environmental pollutants and/or chemicals and/or waste-streams, amount of reductions/eliminations (e.g., emissions/discharges). Please circle the applicable media and units.

<u>Pollutant/Chemical/Waste Stream</u>	<u>Annual Amount</u>	<u>Units</u>	<u>Potentially Impacted Media</u>
_____	_____	Pounds	Land
_____	_____	Pounds/year	Ground water
_____	_____	Gallons/year	Surface water
_____	_____	People	Wetlands
_____	_____	Acres	Wastewater to POTW
_____	_____	Linear feet (small stream)	Air
_____	_____	Linear feet (medium stream)	Animals/Plants/Humans
_____	_____	Linear feed (large stream)	Buildings/Houses/Schools

O. SELF-DISCLOSURE (SECTION NOT BEING UTILIZED; PLEASE USE THE GENERIC CCDS FORM).

CONCURRENCES							
SYMBOL	3LC32	3RC30	3LC32	3LC30	3RC30	3LC00	
SURNAME	Serfass	Minshall	Henry <i>et</i>	Amend <i>et</i>	Jamieson	Shimkin	
DATE	<i>12/7/17</i>	<i>12/12/17</i>	<i>12/11/17</i>	<i>12/11/17</i>	<i>12/11/17</i>	<i>12/11/17</i>	

EPA Form 1320-1 (12-70) OFFICIAL FILE COPY

ORC and Program staff need to fill in and sign off on concurrence chain before package is placed into concurrence.

EPA Enters into CAFO with Dial Corporation for RCRA Violations [Docket No. RCRA-03-2018-0016] On December 20, 2017, Region III filed a Consent Agreement and Final Order ("CAFO") for violations of Pennsylvania's Hazardous Waste Management Regulations, which Pennsylvania administers in lieu of the federal hazardous waste management program established by RCRA Subtitle C. Dial Corporation manufactures antibacterial soap and laundry detergent at its facility in West Hazleton, Pennsylvania, and as a generator of hazardous waste, it is required to comply with the federally authorized Pennsylvania Hazardous Waste Management Regulations, which are designed to protect human health and the environment by providing for the safe management of hazardous waste. As the result of a Compliance Evaluation Inspection and subsequent communications, EPA discovered that Dial Corporation had been operating a hazardous waste treatment, storage and/or disposal facility without a permit or interim status, and had failed to: keep hazardous waste containers closed, submit copies of the contingency plan to local authorities, file biennial reports, store universal waste lamps in closed structurally sound containers, label universal waste lamp containers and identify the accumulation start date for universal waste batteries. Under the CAFO, Dial Corporation has agreed to fully comply with hazardous waste management requirements and pay a civil penalty of \$44,598.00. **ORC Attorney: Chris Minshall (215) 814-2473, Additional Contact: Rebecca Serfass (215) 814-2047.**